

Broads Authority
Planning Committee

Minutes of the meeting held on 24 July 2015

Present:

Mr M Barnard	Mrs L Hempsall
Prof J Burgess	Mr G W Jermamy
Mr N Dixon	Mr P Rice
Dr J M Gray	Mr J Timewell
Ms G Harris	Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr B Hogg – Historic Environment Manager
Mr P Ionta – Solicitor and Monitoring Officer
Ms A Long – Director of Planning and Resources
Ms C Smith – Head of Planning

1/1 Appointment of Chairman

The Director of Planning and Resources welcomed everyone to the meeting. She invited nominations for the appointment of a Chairman for the next year.

Jacque Burgess proposed, seconded by George Jermamy, the nomination of Murray Gray. There being no other nominations, it was

RESOLVED

that Dr Murray Gray be appointed as Chairman of the Planning Committee.

Dr Gray thanked members for his appointment explaining that this could only be until March 2016, when his term of office with the Authority came to an end.

Dr J M Gray in the Chair

1/2 Appointment of Vice Chairman

The Chairman invited nominations for the appointment of a Vice-chairman for the forthcoming year.

Paul Rice proposed, seconded by Mike Barnard, the nomination of Lana Hempsall. There being no other nominations, it was

RESOLVED

that Mrs Hemsall be appointed as Vice-Chairman of the Planning Committee for the forthcoming year 2015/16.

1/3 Apologies for Absence and Welcome to new Members

Apologies were received from Miss S Blane.

The Chairman welcomed the new members of the Authority to the Committee Gail Harris, Paul Rice and Vic Thomson.

On behalf of all members, the Chairman expressed thanks to Peter Warner for his time on the Committee.

1/4 Declarations of Interest

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

1/5 Minutes: 26 June 2015

The minutes of the meeting held on 26 June 2015 were agreed as a correct record and signed by the Chairman.

1/6 Points of Information Arising from the Minutes

None reported.

1/7 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

1/8 Chairman's Announcements and Introduction to Public Speaking

Public Speaking

The Chairman commented that as there were no applications for determination and no members of the public present, there would be no need for the scheme for public speaking. No one indicated that they intended to record or film the proceedings.

1/9 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests had been received.

1/10 Applications for Planning Permission

The Committee considered the following report relating to a major application due to be submitted under the Town and Country Planning Act 1990. Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

(1) **BA/2015/0225/FUL Utilities Site between Cremorne Lane, Hardy Road and the River Wensum**

Generation Park – a mixed use generation Project

Applicant: NPH (Norwich) LLP

The Committee received a report concerning the expected application relating to the Utilities site formerly containing the gas power station. The Director of Planning and Resources explained that this was a hybrid application falling within the administrative Planning Authority areas of Norwich City Council and the Broads Authority with a small length of proposed access road in South Norfolk.

The application was due to be submitted by 1 August and it was proposed that a Joint Site Visit be undertaken with Norwich City Council with the prospective date of 2 October 2015. The City Council would be considering this matter at its meeting on 6 August 2015. The aim would be for both Planning Committees to consider the application at a special meeting in November with 26 or 27 November being the most likely dates.

The Director of Planning and Resources provided an outline of the proposed procedures for dealing with the application based on the model adopted for an application at Norwich Airport dealt with by Broadland District and Norwich City Councils. The Authority's Planning Committee would receive a briefing on the application, particularly those elements which came within the Broads Authority's jurisdiction, prior to the Site Visit, at the 11 September Planning Committee meeting. It was anticipated that the Special meeting would be held at City Hall, given the availability of more appropriate facilities and accessibility. It was proposed that the two Committees would be convened at the same time, receive identical reports presented by the Case officers Mark Brown (NCity) and Alison Macnab (BA). Each of the Committees would then take it in turn to debate the respective elements within their jurisdiction and make their decision. The precise details would still need to be decided.

Members considered that the procedures outlined would be acceptable. They particularly welcomed the opportunity of being provided with a briefing on the respective areas of jurisdiction and a site visit in order to gain a clear appreciation of the issues on which they were required to make a decision. The Chairman emphasised that it was important that as many members as possible attended the site visit as well as the decision making meeting.

RESOLVED

- (i) that a joint site visit to view the proposals for the Generation Park at the Utilities site be held with Norwich City Council and this be held on Friday 2 October 2015 (subject to their agreement)
- (ii) that the proposed procedures for joint consideration of the application with Norwich City Council be accepted in principle for further detailed confirmation.

1/11 Enforcement of Planning Control: Item for Consideration: Positioning of Static Caravan in the grounds of Cross Keys Public House, Dilham

The Committee received a report relating to the unauthorised positioning of a static caravan in the grounds of the Public House at the Cross Keys Public House in Dilham following receipt of a number of complaints. The caravan was being used for domestic storage. This was considered to be a material change of use of the land from car park to standing of a caravan. Planning Contravention Notices had been served in October 2014 and again in February 2015 and a number of site visits followed by letters had been sent to the landowner informing of the breach of planning control. Despite these attempts to engage with the landowner the caravan had remained on site. Members noted that the standing of the static caravan was contrary to development Policies DP4 and DP28 and that enforcement action was recommended with a period of compliance of two months.

The Head of Planning reported that since the writing of the report officers had had a number of discussions with the landowner who had indicated that there was a strong possibility that the static caravan would be removed in December and therefore instead of two months compliance, officers were recommending a longer period of six months. Although this was disappointing, it was considered beneficial to have a negotiated solution.

Members had concerns over the length of time the matter had already taken and therefore considered that a three month compliance period would be more appropriate as this would be in accordance with the proposed date the landowner had suggested.

RESOLVED

- (i) that authorisation is granted for the serving of an Enforcement Notice seeking removal of the Static Caravan with a compliance period of three months; and
- (ii) that authorisation be granted for prosecution (in consultation with the solicitor) in the event that the Enforcement Notice is not complied with.

1/12 Broads Local Plan Local Development Scheme – Version 2

The Committee received a report relating to the timetable for the production of the Local Plan including the anticipated dates for undertaking and completing the tasks required in its production. This provided an update on that which had been received in 2014 and as version 2, reflected the slippage incurred. This was due to the requirement for an Objectively Assessed Housing Need (OAN) and also for practicalities to align at least the first consultation stages of the Local Plan and Broads Plan given that there would inevitably be some crossover of content. Members noted the complex processes involved in assessing the OAN which was being undertaken using consultants (ORS) in association with other Districts. Discussions as to apportionment would be required with those Districts as part of the Duty to Cooperate.

The Director of Planning and Resources reported that as part of the Planning Committee's training programme, it was intended that there would be some Policy focussed training to cover this issue together with Duty to Cooperate and Examination in Public procedures following a Planning Committee meeting in the Autumn (scheduled for 9 October 2015).

RESOLVED

that the Authority adopt Version 2 of the Local Development Scheme .

1/13 Duty to Cooperate Member Forum

The Committee received a report on the most recent Duty to Cooperate Member Forum meeting held on 9 July 2015 and considered the recommendations from that meeting.

RESOLVED

that the Authority endorse the recommendations from the Duty to Cooperate Forum as follows:

- The Framework to be called Norfolk Strategic Framework
- Norwich City Council to host and employ the Project Manager and Assistant for a fixed term contract to drive the production of the Norfolk Strategic Framework
- That the Scope of the Framework be accepted.

1/14 Brundall Neighbourhood Plan: Proposed Comments on Pre-Submission Consultation Response

The Committee received a report relating to the Brundall Neighbourhood Plan which set out the proposed Broads Authority comments on the Pre-Submission Consultation Document. Members welcomed the report and proposed comments.

RESOLVED

that the proposed pre-submission consultation response on the Brundall Area Neighbourhood Plan be endorsed and submitted.

1/15 Oulton Broad Conservation Area Re-Appraisal

The Committee received a report which provided members with the feedback from the Consultation exercise relating to the Oulton Broads Conservation Area Re-Appraisal. This came within the Authority's programme for review of current Conservation Areas as part of its statutory duties.

The Oulton Broad Conservation Area consultation draft was discussed at the Broads Authority Planning Committee on 25 April 2014. At this meeting Members agreed the draft appraisal and to carry out a consultation exercise. Members of the Authority's Heritage Asset Review group also considered the draft re-appraisal on two occasions.

The Committee noted that a thorough consultation had taken place particularly relating to the additional area proposed for inclusion at the south eastern area of Oulton Broad. Although initially objections had been received in relation to this extended area, following further explanation and understanding of the requirements for Conservation Areas, feedback was very supportive, particularly from the Friends of Nicholas Everitt Park.

The Committee considered that the area identified by the boundary map including the extension and described in the appraisal and management plan of Oulton Broad was worthy of Conservation Area designation following a detailed assessment, public and stakeholder consultation. Therefore the Committee agreed that the Conservation Area as proposed be adopted by the Authority.

RESOLVED to RECOMMEND to the Authority

that the appraisal and management plan for the Oulton Broad Conservation Area, for that part of the Area within the Broads Authority executive area, be formally adopted by the Broads Authority.

1/16 Heritage Asset Review Group (HARG) Membership

The Committee received a report on the role of the Heritage Asset Review Group and the need to appoint new members in light of the recent changes to membership of the Authority and that of the Planning Committee.

A meeting of the Heritage Asset Review Group would follow on from the Planning Committee meeting on 21 August 2015.

RESOLVED

that the membership of the Heritage Asset Review Group be comprised of the following: Dr J M Gray (Chairman of Planning Committee), Mrs L Hempsall (Vice-Chairman of Planning Committee), Mr M Barnard, Miss S Blane and Prof J Burgess.

1/17 Enforcement Update

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

The Head of Planning reported further on the following:

Former Jenners Basin at Thorpe Island. The case had been considered in the High Court on Tuesday 19 May 2015. The Judge had yet to issue his decision although it was expected shortly. Members would be informed by email as soon as this was received and a report would be submitted to a subsequent meeting.

J B Boat Sales, 106 Lower Street, Horning. Members of the Committee had been shown the amended scheme for a building which had been approved at the last meeting. The date for remedial works to be carried out had been extended to 8 October 2015.

Land at Newlands Caravan Park, Geldeston. Compliance had been achieved and therefore this would be deleted from the schedule for the next meeting.

RESOLVED

that the report be noted.

1/18 Appeals to Secretary of State Update

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since 1 March 2015.

RESOLVED

that the report be noted.

1/19 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 15 June to 13 July 2015.

RESOLVED

that the report be noted.

1/20 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 21 August 2015 at Yare House, 62- 64 Thorpe Road, Norwich. This would be followed by a meeting of the Members' Heritage Asset Review Group.

The meeting concluded at 11.15 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning 24 July 2015

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Paul Rice	1/17	Re Enforcement Update: Ferry Inn – as involved in negotiation and mediation
George Jermany	General	Toll Payer
Jacquie Burgess	1/10	Emeritus Professor, UEA but no involvement with the prospective application
Mike Barnard	1/15	Local Councillor Meeting with Residents