

Planning Committee

AGENDA

Friday 1 April 2016

10.00am

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|--|--------|
| 1. Appointment of Chairman and Vice-Chairman until July 2016 | |
| 2. To receive apologies for absence and introductions | |
| 3. To receive declarations of interest | |
| 4. To receive and confirm the minutes of the previous meeting held on 4 March 2016 (herewith) | 3 – 13 |
| 5. Points of information arising from the minutes | |
| 6. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

7. **Chairman's Announcements and Introduction to Public Speaking**
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
8. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
9. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**

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BA/2016/ 0064/COND Waveney Inn and River Centre, Staithe Road, Burgh St Peter	29 – 46
10. Bungay Neighbourhood Plan: Designating Bungay as a Neighbourhood Area Report by Planning Policy Officer (herewith)	47 – 50
11. Proposed Somerton Conservation Area Public Consultation Report by Historic Environment Manager (herewith)	51 – 70
MATTERS FOR INFORMATION	
12. Enforcement Update Report by Head of Planning (herewith)	71 – 76
13. Appeals to the Secretary of State Update and Annual Review Report by Head of Planning and Administrative Officer (herewith)	77 – 81
14. Decisions made by Officers under Delegated Powers Report by Director of Planning and Resources (herewith)	82 – 84
15. To note the date of the next meeting – Friday 29 April 2016 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich	

Broads Authority

Planning Committee

Minutes of the meeting held on 4 March 2016

Present:

Dr J M Gray – in the Chair

Miss S Blane
Prof J Burgess
Mr N Dixon
Ms G Harris

Mrs L Hemsall
Mr G W Jernany
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for Solicitor and Monitoring Officer
Mr N Catherall – Planning Officer (Minute 98(3))
Ms M Hammond – Planning Officer (Minute 910 – 9/11)
Ms A Long – Director of Planning and Resources
Mr A Scales – Planning Officer (NPS) (Minute 9/8)
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

BA/2015/0319/FUL Land at Pump Lane, West Caister

Mr Woolsey Applicant
Mr A Gibbs Agent on behalf of Applicant

BA/2015/0389/FUL Hill Common, Staithe Road, Hickling

Mr Simon Mann Objector
Mr Plumb For applicant – Exors of John Micklethwaite
 Mills

9/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. He also welcomed Sarah Wolstenholme-Smy from Nplaw as an observer.

Apologies were received from Mr M Barnard, Sir Peter Dixon, Mr P Rice, and Mr J Timewell.

9/2 Declarations of Interest

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

9/3 Minutes: 5 February 2016

The minutes of the meeting held on 5 February 2016 were agreed as a correct record and signed by the Chairman.

9/4 Points of Information Arising from the Minutes

Minute 7/8(1) BA/2015/0361/FUL Compartment 37 Upton Boat Dyke, Upton

The Head of Planning reported that she had attended the first meeting of the Upton Boat Dyke Liaison group, which consisted of representatives of the Parish Council, the Local Community Group and local businesses, in order to examine what could be done as part of the planning process to alleviate the concerns that have arisen from the application. This has resulted in a useful list of actions, mainly for the Head of Planning.

9/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

9/6 Chairman's Announcements and Introduction to Public Speaking

(1) 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.

(2) No member of the public indicated that they intended to record the proceedings.

(3) **Member Training** – The Chairman reminded the Committee that there would be training on Planning Enforcement following this meeting.

9/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer applications or vary the agenda had been received.

9/8 Applications for Planning Permission

The Committee considered the following 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 below. 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/2015/0319/FUL Land at Pump Lane, West Caister**
New home meeting paragraph 55 standards, and associated additional buildings to support current and developing wood business
Applicant: Mr Darren Woolsey

The Planning Officer provided a detailed presentation of the application, which was for a new dwelling and storage buildings to support a wood business in a location outside any development boundary and in Flood Risk Zone 3. The site was in a fringe area between the marshes, Halvergate Conservation Area and the more urban area containing the County Council recycling centre, highways depot, coal yard and aggregate sales. The applicant's agent had provided a Model of the proposed development and 2 A1 Boards showing additional photographs.

The Planning Officer provided photographs of the site from various vantage points as well as a photomontage view of the site. A landscaping scheme had been submitted with the proposals. She explained that a Certificate of Lawful Use in 2011 had been granted for the use of an area in the northwest corner of the site for storage of horticultural machinery and equipment. There were several other small scale storage buildings on the site without the benefit of planning permission but these were said to be only temporary. In addition a small pond had been enlarged to create a lake with the excavated material being used to form bunds which had been planted.

The Planning Officer explained that since the writing of the report an updated business plan had been submitted but this did not change her assessment or affect the reasons (ii), (iii) and (iv) within the recommendation. She drew attention to the consultation responses and reported that since the report had been written, two more representations in support of the proposals had been received. However, these did not provide any new significant factors or affect the assessment.

In providing the assessment the Planning Officer particularly referred to Policy DP26 and paragraph 55 of the NPPF emphasising that the proposal was outside the development boundary. Although it was suggested that the business was growing and it was necessary for someone to live on the site to protect the machinery, no detailed evidence had been submitted to support this. The Planning Officer commented that it was important that any such development was required to satisfy all of the four main points of Paragraph 55 in order to justify outweighing the presumption against new isolated dwellings in the countryside. The design would not only need to be of high quality but exceptional – truly outstanding or innovative. Although well

designed and to a high standard it was not considered to be exceptional. In addition it was not considered that it would significantly enhance its setting and was not sensitive to the character of the local area or Broads generally. It was also considered that the proposal would not provide sustainability benefits that would outweigh the high flood risk to the site and therefore it could not pass the Exception Test for flood risk and was therefore contrary to those policies. Having provided a very detailed assessment, the Planning Officer concluded that the application be recommended for refusal as set out in the report.

Mr Andrew Gibbs, the applicant's agent explained that the proposal was about the man, the business and the land and the application demonstrated that there would be a definite improvement to the site. He emphasised that his client was truly committed to benefiting his growing business and wished to create a legacy for his family. He therefore needed to provide regularised buildings adequate to allow for machinery and which would have a symbiotic relationship with a dwelling. The proposed development would provide a sense of security and psychology to make the business sustainable and in which he could to invest to take the business to the next level. Mr Gibbs commented that an accountant's statement had been provided.

The Planning Officer confirmed that an accountant's letter had been provided, but this did not contain detailed figures on profits or dates.

The Historic Environment Manager commented that it was important to look at the NPPF holistically and the criteria examined thoroughly. There needed to be a very detailed level of justification for the design and this needed to be clear and robust when assessed against the policies. The need and viability had not been demonstrated. A full justification in terms of architecture with clear, critical and compelling evidence was required. Although the design was acceptable per se, when considering its significance in terms of the special area of the Broads, it did not meet the high standards required or significantly enhance the setting. It was considered that it was insular and inward looking and did not take advantage of the marshes. In fact it screened it from the Broads and therefore he could not see that it could be justified in terms of para 55 of the NPPF. He fully supported the Planning Officer's assessment and recommendation.

Members expressed some sympathy with the applicant and in general accepted that it was a high quality development and had much merit. However, the Broads had different standards from other local authorities, given its special qualities and equivalent National Park status. It was the Authority's duty to protect the landscape and enhance it. The proposal appeared to orientate towards and create a piece of urban fringe land and not relate to the Marshes. It was therefore considered it was not part of a semi-industrial landscape. Although it had been stated that there had been massive increases in

rural crime in farming nationally and Norfolk in particular, there was no evidence that there had been security problems on the site up to now. Members did not consider that there was sufficient justification for a person to be living on the site particularly in an otherwise unacceptable location and the design was not sufficiently outstanding or innovative to satisfy para 55 of the NPPF.

The Planning Officer explained that given the established use of the business, officers would be open to discussions of accommodating its needs and the other aspects of unauthorised development would be examined.

Lana Hemsall proposed, seconded by Nigel Dixon and it was

RESOLVED by 6 votes to 0 with 2 abstentions

that the application be refused on the grounds set out within the report, in that the application is considered to be contrary to Policies CS20 and CS24 of the adopted Core Strategy(2007) and Policies DP4, DP22, DP26 and DP29 of the Development Management Policies (2011) and contrary to paragraphs 55 and 102 of the NPPF.

(2) **BA/2015/0389/FUL Hill Common, Staithe Road, Hickling**

Repair and Improvement to Moorings

Applicant: Exors John Micklethwait Mills

The Planning Officer provided a detailed presentation of the proposal for repair work to an existing area of mooring including the replacement and recreation of up to three jetties and short walkway and associated reed bed protection at the northern end of Hickling Broad. The repairs were based on the historic footprint and would not go beyond the previous extent or encroach onto the Broad. The application was accompanied by Supporting Evidence for Appropriate Assessment prepared by the Ecology Consultancy as required by Natural England, which considered the potential impacts on the Broads SPA, SAC and Ramsar Site.

No objections had been received from the Parish Council, Broads Society or Natural England, subject to mitigation measures being included as conditions. However, some strong objections had been received from Mr Mann, the occupier of Timber Gales, Hill Common, which had been appended to the report for members' information.

Having assessed the application the Planning Officer concluded that the application was small scale and the proposal, effectively repairing and improving an area in jetty use, would not be out of keeping with the area and would be consistent with the aims of development plan policy. Officers were satisfied that the development would not affect the SSSI and conditions could be imposed on the timing of the works and monitoring of water quality to provide protection. Therefore it was

considered that the proposal was acceptable and could be supported subject to the imposition of planning conditions.

In answer to a Member's question, the Planning Officer confirmed that the applicant was satisfied that the works could be carried out within the standard time period of three years even with a restriction on when the works could be undertaken.

Mr Mann provided a copy of his detailed comments expressing concern about lack of clarity as to the number of moorings intended, nor the size and type of craft to use them; the access and the potential damage to the wider SSSI and visual landscape with the possible result of a sprawling marina. He was concerned about the effect on the Ramsar designated site and the disturbance to wildlife.

He was of the view that the moorings never truly existed and provided two photographs which he considered gave confirmation. He also contended that there had been erosion and not silting up. He contended that there were not proper details as to the likely adverse damage to the SSSI and the report failed to address the risks to the environment and damage to the internationally important site if approval was given. He was concerned that the works to dredge out sections to form moorings would add to the erosion problem and cited the cause of the loss of fish in 2015 as having been due to dredging. He also expressed concern that the land in the ownership of the Norfolk Wildlife Trust (NWT) would provide access to the site and it was not managed to the standard that should be required. He urged members to refuse the application. Mr Mann referred to an application having been lodged for the same site in 2015 as being in the name of an Authority member of staff.

It was clarified that an application had been submitted in April 2015 for this site but this had been from the same applicant ie: Exors of John Micklethwait Mills and had subsequently been withdrawn. The Authority itself had submitted applications in the area but for a different site on Hill Common, Hickling. These had been determined by the Planning Committee.

The Planning Officer confirmed that NWT had not been specifically invited to comment on the application as the views of Natural England, the statutory organisation for specially designated sites, had been sought. With regards to the claim that the moorings never existed, the Planning Officer considered that the photographs provided by Mr Mann reflected one point in time. From the evidence he had already examined, the photographs did not alter his view.

Mr Plumb the agent for the applicant confirmed that he was satisfied with the conditions to be imposed. Licenses for 3 moorings had existed since 1986 and there had been no changes.

Members gave careful consideration to the proposals and the concerns expressed. They were of the view that the proposed reed protection at the front of the jetties would be of environmental benefit and the proposed repairs to the jetties would improve the mooring and restore the edges. Members were content with the comments from Natural England given their requirements for and acknowledgement of the sensitivities of the site. With regards to Mr Mann's comments regarding precedent, they insisted that each application would need to be judged on its merits and they had no reason to object to this application.

It was considered that in order to protect against the moorings being used for commercial purposes, an additional condition be imposed requiring that no more than three private boats be moored at the site at any one time. They also requested an Informative requiring no lights to be included on the jetties.

Jacquie Burgess proposed, seconded by Lana Hemsall and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report with an additional condition for there to be no more than three private boats being moored at any one time and an Informative regarding no lights to be incorporated into the jetty(s). The proposal is considered to be consistent with and in accordance with Policies CS1, CS2, CS4 and CS15 of the adopted Core Strategy (2007) and Policies DP1, DP2 and DP4 of the adopted Development Management Policies (2011).

- (3) **BA/2015/0342/HOUSEH Ennerdale II, Beech Road, Wroxham**
Replacement boatdock, reinstatement works, and new quay heading
Applicant: Mr and Mrs Chopra

The Planning Officer provided a detailed presentation of the application for a replacement boatdock and new quay heading in order to provide access from the applicant's property. This was on the basis that as new owners the applicants did not have right of access across the existing adjacent boat dyke. The existing redundant boat dock would be infilled and a replacement one provided in the area opposite the chalet within the woodland. A boathouse would be constructed over this. The boatdock would then be accessed via an existing dyke leading directly to Wroxham Broad.

The Planning Officer referred to the consultations received citing an objection from the Ecologist relating to concerns over potential loss of peat soils and Biodiversity habitat. The Planning Officer explained that the scale of the area to be excavated was minimal and therefore any impact on the BAP habitat would be limited. The dredgings from the new dock would be used to infill the unviable boatdock and therefore there would not be a net loss. It was considered that the habitat was

already moderately domesticated and outright protection would be difficult to justify on a habitat basis alone. The Planning Officer concluded that there would not be an unacceptable impact on the landscape character, protected habitats and navigation and therefore recommended the proposal for approval.

Having sought clarification on the scale of the proposal, Members concurred with the Officer's assessment. Mr Jermay proposed that the new boatdock be limited to private use in association with Ennerdale II. This was not seconded. Other members were satisfied that the new boatdock was for private use in association with a private property.

The Chairman proposed to accept the officer's recommendation, seconded by Jacquie Burgess and it was

RESOLVED by 7 votes to 1 against

that the application be approved subject to conditions as outlined within the report as the proposal is considered to be in accordance with Policies CS1, CS2, CS3, and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

9/9 Enforcement Update

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

Thorpe Island

It was noted that the Injunction papers had been served on Mr Wood on 2 March 2016 and the Hearing in the High Court would be on 11 March 2016.

Ferry Inn Horning

A date for a meeting had been arranged and no Enforcement Notice had been issued.

Staithe n Willow Unauthorised erection of fencing

An Appeal against the Enforcement Notice had been submitted on the grounds that there was no breach of planning control.

Grey's Ices and Confectionary, Norwich Road, Hoveton

Partial compliance had been achieved as the canopies had been removed and the fascias were now flush with the building walls. The site was to be inspected and a report brought back to the next meeting.

Hall Common Farm, Ludham

Unauthorised installation of metal roller shutter door: An application for a lattice work door had been submitted on 4 March 2016.

RESOLVED

that the report be noted.

9/10 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 October 2015. It was noted that the Appeal on **BA/2015/0003/REF Silverdawn, Horning** had been upheld and therefore lost to the Authority but the application for Award for Costs refused.

In addition the Appeal relating to BA/2015/0004/REF **River Barn Church Lane Surlingham** had been allowed. This was as a result of additional information being provided which had not been provided when the application was first submitted.

RESOLVED

that the report be noted.

9/11 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 23 January to 19 February 2016.

RESOLVED

that the report be noted.

9/12 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 1 April 2016 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

9/13 Farewell to the Chairman: Dr J Murray Gray

The Director of Planning and Resources presented Murray with a picture of Hardley Mill as a token of appreciation from Members of the Committee and the planning staff. She thanked him for his wise counsel and support and commented that he was very widely and highly regarded by the team and other officers as well as officers from other organisations. He would be greatly missed.

Murray thanked everyone for the kind words. He commented that having been on the Authority for a total of 12 years he had had two lives; firstly as a South

Norfolk appointee for 4 years and then as a Secretary of State appointee for 8 years. He had been Chairman of the Planning Committee for 7 years in total. He considered that it had been a tremendous honour and privilege to have been part of the Authority with some particularly enjoyable moments as well as some less so. The Authority had a fantastic team. He thanked Members for their support and wished them well for the future with some difficult cases to take forward.

The meeting concluded at 12.40 pm.

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 4 March 2016

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Gail Harris	9/8(1) Land at Pump Lane	The architect used to be a neighbor. I do not consider it necessary to leave the meeting and will take part in the vote
George Jermany	General	Toll Payer
Murray Gray	9/8(1) Land at Pump Lane - Lake	Academic critic of bunding in flat landscapes - Other interes
Jacquie Burgess		Toll Payer

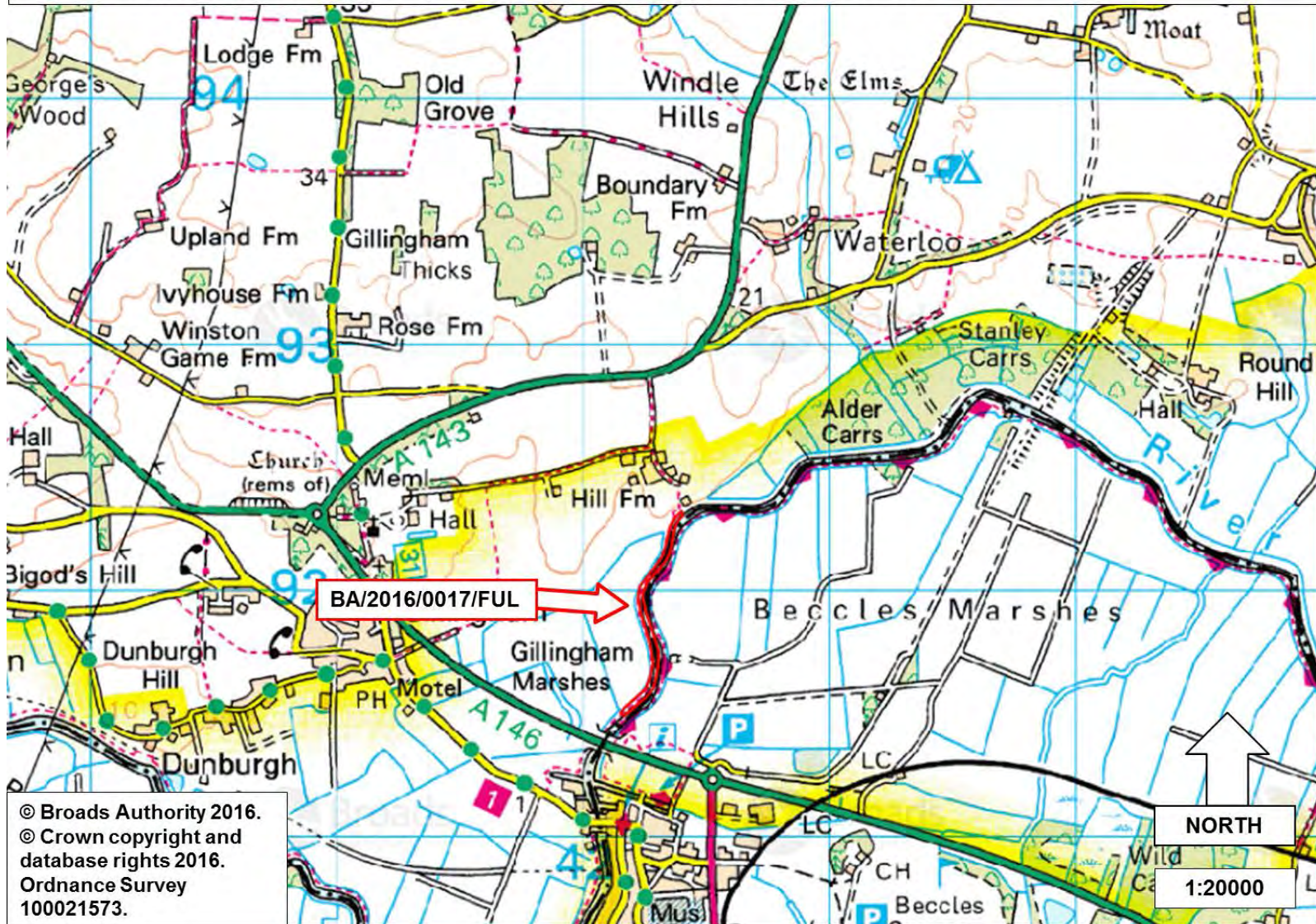
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BA/2016/0017/FUL

Location

Compartment 25, Left Bank of the River Waveney
downstream of Beccles (A146) Bridge, Gillingham

BA/2016/0017/FUL - Driving/removal/maintenance of piling along the left bank of river, re-grading the rivers edge and the original bank, and crest raising existing bank with the material gained from the old bank



Application for Determination

Parishes:	Gillingham
Reference:	BA/2016/0017/FUL Target date: 13 April 2016
Location:	Compartment 25, Left bank of the River Waveney downstream of Beccles (A146) Bridge
Proposal:	Driving / removal / maintenance of piling along the left bank of river, re-grading the river's edge and original bank, and crest raising and roll back of existing bank with the material gained from new pond to be excavated and the old bank.
Applicant:	Environment Agency
Reason for referral:	Major application
Recommendation:	Approve with conditions

1 Background and Description of Site and Proposal

- 1.1 In April 2010, planning permission was granted for flood defence works in Compartment 25 between Dunburgh (Geldeston) at the western end of the compartment to Hill Farm (Gillingham) at the east. Whilst most works in the compartment were undertaken in 2010 and 2011 following the grant of this consent, works between Beccles Bridge and Hill Farm did not take place due to material sourcing complications.
- 1.2 The new planning application has been submitted to seek to provide flood defence improvements for this eastern end of Compartment 25 which extends from the A146 at Beccles Bridge to Hill Farm at Gillingham. The application includes revised material sourcing proposals (on nearby land in the Gillingham Estate) to provide some of the material for roll back and flood bank strengthening. Appendix 1 is a plan showing the application site.
- 1.3 Flood defences in the eastern end of the compartment comprises of a continuous floodbank of 936 metres in length. The flood defence protect an extensive area of low lying land. Erosion protection is provided by a mix of reeded rond and piling. When the 2010 application was submitted, the timber piling had been estimated by BESL with a residual life of 5 years or less and the steel piling with between 5 and 25 years.
- 1.4 The compartment contains no SSSI but the Stanley and Alder Carr Aldeby SSSI is situated to the east. Opposite the application site is Beccles

Amateur Sailing Club (BASC). At present they use existing piling as temporary mooring during races. In addition the area to the south of the river has significant archaeological interest.

1.5 The application identifies the following works in the eastern end of the compartment:

Proposed Works	Length (m)
Strengthen floodbank	670
Rollback floodbank	150
Replacement piling (replacing failed piling)	268
Remove piling and install erosion protection (coir matting)	566
Retained piling	186

1.6 The techniques to be used for bank strengthening and roll back will follow established practice. With regard to pile ‘removal’, this is proposed using the pile driving technique recently adopted in the River Chet, seeking to drive the piles into the river bed (which BESL explain should add stability to the toe of the bank). In addition, BESL propose to install coir matting erosion protection on the sloping bank.

1.7 The application initially submitted has now been supplemented by further supporting details. This explains that pile ‘removal’ is proposed concurrent with floodbank strengthening. In terms of sequencing of works, the following is proposed.

- Before the piles are driven, any walings and tie rods are removed
- A wedge of material is excavated from behind the piles;
- A 2.0m long “dolly” attachment is then placed over the exposed steel pile edge so that they can be driven vertically into the river bed (this leaves a new river edge formed of a slope from the river bed to the top of the old floodbank)
- The floodbank will concurrently be improved by strengthening or rollback using material generated during the piling removal as well as material sourced from a new pond proposed to the north on Gillingham Estate land on the hill near to Brick Barn at Hill Farm (an area at present used as set aside)
- The area between the floodbank and river where the piling was removed will be profiled to form a reeded rond

1.8 In this case as works involve only floodbank strengthening and very limited roll back of the bank, maintaining its footprint partly on the existing alignment of the current bank, BESL consider the risk of erosion is very limited. The supplementary information submitted includes full details on erosion monitoring including hydrographic / sonar monitoring linked to the proposed pile ‘removal’.

1.9 As the proposal does not involve the widening of existing soke dykes

to source material, the change in habitat adjacent to the river will be minimal (only some 0.15ha). On the site at Brick Barn there will be a loss of 0.47 of arable land linked to material sourcing (and the end use as new pond should deliver bio-diversity benefits).

- 1.10 The existing floodbank forms part of a continuous public right of way. North of the A146 bridge is a Broads 24 hour mooring area. Angling opportunities exist to fish from the existing floodbanks. Whilst access to use the public right of way will need to be restricted during works and whilst banks/new vegetation establish, BESL have confirmed that access to the Broads 24 hour mooring will be maintained throughout the construction period. As part of the application, BESL have confirmed that whilst the position of the floodbank will be rolled back in part, the extent of roll back is limited and that this will not require a permanent footpath division (and therefore there is no need for such a diversion to be sought under Section 257 of the Town and Country Planning Act).
- 1.11 The area is well use for recreational sailing including linked to BASC. BESL have indicated works would be undertaken outside the main boating season. In addition, they propose to provide mooring facilities (initially suggested in the form of buoys and weights) to be used by BASC for race purposes. However following concerns raised they are reconsidering the most suitable method to make such provision.
- 1.12 A temporary site compound to serve the development is proposed to close to the Hill Farm farmyard complex. The proposed hours of working are 7.00 to 18.00 Monday to Friday and 7.00 to 13.00 on Saturdays (with no Sunday or Bank Holiday working). Following initial site set up, vehicle movements on a daily basis will be limited to vans and 4x4's. The steel piles to be installed will be delivered by water.

2 Planning History

BA/2010/0009/FUL Flood Defence improvements (Compartment 25 – Dunburgh to Hill Farm). Approved April 2010

BA/2006/0139/F Flood Defence improvements (Compartment 24 – Aldeby Long Dam Level). Approved April 2006

3 Consultation

- 3.1 The following comments have been received on the application as originally submitted. Following receipt of the supplementary details (outlined in paragraphs 1.7 and 1.8), re-consultation has taken place. Any comments received from this re-consultation will be updated verbally to Members at the meeting.
- 3.2 Gillingham Parish Council – Awaited

Beccles Town Council - Awaited

Broads Society – Objection. We are concerned that where the piles are driven down instead of being removed, they will be a danger to deep draught vessels when there is a very low tide. In addition, where the piles are removed or driven down, and the bank re-graded, there should be markers with a condition that they are to be maintained until there is a good growth of vegetation. Where there is new or retained piling, there should be a condition that the walings are to be maintained during the life of the piling. There should be a condition that no work is to be carried out on Sundays or Public Holidays.

NCC Highways – No objection.

NCC PROW – Awaited

Environment Agency – No objection. Recommend following informative added to decision

Flood Defence Consent - Under the terms of the Water Resources Act 1991, and the Anglian Land Drainage and Sea Defence Byelaws, our prior written consent is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank of the River Deben, designated a 'main river'. The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). A consent application must demonstrate that:

- There is no increase in flood risk either upstream or downstream
- Access to the main river network and sea/tidal defences for maintenance and improvement is not prejudiced.
- Works are carried out in such a way as to avoid unnecessary environmental damage.
- Mitigation is likely to be required to control off site flood risk.

Natural England – Awaited

SNC: Environmental Health Officer – No objection subject to an hour of working restrictions (Monday – Friday 08-00 to 19-00 and Saturdays 08-00 to 18-00). No working on Sundays and Bank Holidays.

Historic England – No objection in principle. We note from the supporting Environmental Statement that on the southern side of the river is a trackway of Iron Age date and there is evidence elsewhere in the Waveney for archaeological assets of this nature to be found on both sides of the river. The projected alignment of the Beccles trackway would put it within the area of proposed works for this scheme. We therefore recommend that this scheme be subject to an appropriate programme of archaeological mitigation and that the Historic Environment Service be asked to provide advice on the scope of necessary archaeological works and would recommend that the

planning permission is conditioned accordingly.

Norfolk Historic Environment Service – The proposed works are located in an area of high archaeological potential. The Broads are undesignated heritage assets of national or international importance. Peat deposits are a finite and threatened resource and have the potential to contain information relating to past human interaction with the environment. Elements of the works lie within the flood plain of the River Waveney in an area which has high potential for the presence of waterlogged deposits and palaeo-environmental evidence. In particular, (as noted by Historic England in their response) previous work on the opposite bank has revealed a preserved Iron Age wooden trackway which may continue into the proposed area of works.

Consequently there is potential that significant buried archaeological remains will be present in the area of the proposed development and their significance may be affected by the proposed works.

In view of this a programme of archaeological work will be required for this scheme. For the works immediately adjacent to the river the effects on the historic environment can be mitigated through a condition on any permission granted.

Following further consultation on this proposal we are happy that the trial trenching on the site of the proposed extraction pit/pond can be included within the scope of a set of planning conditions. If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework (para. 141).

In this case the programme of archaeological mitigatory work will commence with informative trial trenching at the site of the proposed pond to determine the scope and extent of any further mitigatory work that may be required at that location (e.g. an archaeological excavation or monitoring of groundworks during construction), and also monitoring of groundworks immediately adjacent to the river.

Norfolk and Suffolk Boating Association - No objections to the proposed development provided that the following conditions are attached to any planning permission:

- Craft from the Beccles Amateur Sailing Club have traditionally used the piling incidentally to their racing. There should be a condition that suitable alternative mooring arrangements be made for the Club, the nature and design of which are to be agreed with the Club
- To minimise the impact on those navigating the area, there should be a condition that the work should not be done on weekends, Public Holidays or during the Beccles Regatta in August
- There should be a condition for adequate signage of the work

4 Representations

- 4.1 The Navigation Committee considered this application at their meeting on 25 February 2016. The draft minute identifies

Members acknowledged the need for the flood defence work and agreed that the hazardous piling would need to be removed. They commented that this reach of the river was very tidal and, due to activities of the Beccles Amateur Sailing Club (BASC), could be very busy.

The use of buoys for mooring by the BASC was not supported by the Committee because of the added risk of motor boats getting fouled on the buoys and lines; and that boats mooring to the buoys would restrict the available width for navigation. Instead Members felt permanent timber posts that remained visible at all states of the tide would provide a more appropriate means of allowing members of the BASC to moor temporarily in order to raise and lower sails, and wait for race start times. A Member suggested that posts should be provided beyond the sailing club area to allow canoes, in particular, to get out of the way of boat traffic at busy times.

Members agreed that if coir matting was used as erosion protection on the re-profiled river bank there was a risk it would be damaged by boat impact. It was easy for matting to get caught in boat propellers, which would be damaging to the boat and the bank. It was pointed out that coir matting would provide erosion protection while encouraging vegetation growth, but Members preferred that an alternative be considered, e.g. natural reed growth or plug planting, without coir matting being installed.

Members agreed that conditions should be attached to any planning permission granted for the works covering timing of works, installation and removal of temporary channel marking, erosion monitoring in accordance with the agreed erosion monitoring protocol including sonar and hydrographic surveying, and remedial works to deal with damage to any erosion protection installed.

- 4.2 In addition, The Vice Commodore on behalf of BASC has commented

Whilst the Beccles Amateur Sailing Club has been in consultation with BESL and agreed in principal the potential solutions to the hoisting and lowering of sails when the wind is in the west, we have not agreed to the final details of the proposals.

We also note that temporary channel markers will be installed along the sections of the erosion protection and remain until a reeded rond has developed; we would wish to be involved in the discussions to ensure they create no problems for the Club.

5 Planning Policy

- 5.1 The following policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

Core Strategy (CS) (2007)

[Core Strategy Adopted September 2007 pdf](#)

Policy CS1 – Landscape protection and enhancement

Policy CS3 - Navigation

Policy CS4 – Creation of new resources

Policy CS6 – Historic and cultural environment

Policy CS15 – Water space management

Development Management Plan DPD (DMP) (2011)

[DEVELOPMENTPLANDOCUMENT](#)

Policy DP1 – Natural environment

Policy DP2 – Landscape and trees

Policy DP11 – Access to land

Policy DP28 - Amenity

The policy below has also been assessed for consistency with the NPPF and has been found not to be reflected in the NPPF; so full weight cannot be given in the consideration and determination of this application.

Development Management Plan DPD (DMP) (2011)

Policy DP13 – Bank protection

Material Planning Consideration

National Planning Policy Framework (NPPF) (2012)

[NPPF](#)

6 Assessment

- 6.1 Compartment 25 has previously received planning permission for flood defence improvements and the approved works have been undertaken in the majority of the compartment. However due to material sourcing complications, the eastern part of the works has been reviewed and a revised scheme for this area is submitted. Whilst this has some similarities to the scheme approved in 2010, in view of the site specific considerations, planning policy and comments raised in relation to the proposal, it is important to consider carefully the following issues in relation to the current proposals:

- (a) Impact on recreation and navigation
- (b) Habitat and ecology
- (c) Hydrology and risk of flooding
- (d) Archaeological considerations
- (e) Landscape / residential amenity / highway access

(a) Recreation and Navigation

- 6.2 The application site contains Broads 24 hour mooring at its western end. No change is proposed to this area and this is welcomed. However significant lengths of existing piling in the compartment are in a poor condition and continue to deteriorate and are becoming a greater hazard; so therefore their removal and replacement with a more sustainable form of flood defence, or with the installation of replacement piling, would be a navigation benefit.
- 6.3 The application proposes a sequencing of works which will involve the removal of piling at the same time as the strengthening and roll back of areas of floodbank (rather than seeking to remove piling following the establishment of new floodbanks). In this case it is considered that this approach can be justified as firstly strengthening involves rear face widening which should limit stresses on the existing bank and secondly the rollback banks proposed only involved very limited realignment of the bank (with the crest set back only some two to three metres) which means part of the existing established bank will form the front of the rolled back bank (again effectively limiting stress and risk of erosion compared to the establishment of a whole new bank). Notwithstanding this, it is very important to monitor erosion rates once piling is removed (and this issue is explored further in paragraph 6.6 and 6.8).
- 6.4 As with recent proposals in the River Chet and Upton Dyke, parts of the existing piling is no longer required for erosion protection purposes (so the Environment Agency no longer need to retain this for a flood defence purpose) and its removal (subject to safeguards) would deliver flood defences in a more sustainable manner (consistent with an aspiration of development plan policy CS4).
- 6.5 Whilst the pile driving technique worked successfully in the River Chet, there is a risk in another location that piles may not be successfully driven into the bed. BESL have confirmed that should any pile not successfully drive sufficiently into the river bed (to a depth of a minimum of 0.25 metres below the existing bed level), the piles will be extracted (with details of the technique for removal of part driven piles to be addressed by planning condition). It is considered that this depth should be sufficient to avoid risk to boats and not prejudice future dredging required in this area.
- 6.6 It is recognised that pile removal may increase risk of erosion and siltation and the risk may increase close to newly established banks.

To limit risk and help new reed growth establish, BESL propose using coir matting. Concern has been expressed regarding the use of coir matting (mirroring a concern expressed in the recent application in Upton Dyke). The River Waveney in this location differs in character and width from Upton Dyke. Whilst the concerns raised regarding the potential fouling of propellers is appreciated, it is considered that the use of navigation markers to identify the new edge whilst reed establishes coupled with the greater width of the River Waveney in this location, means that the use of coir matting should not pose an unacceptable risk to boat users. Furthermore the use of coir matting should help deliver a more stable edge with less risk of erosion whilst also allowing early establishment of reed (in a manner that has been successfully used by BESL elsewhere in the Broads).

- 6.7 It is considered in this case that temporary navigation markers will be required and these may need to be retained for longer than often required to identify the edge and coir matting until reed fully establishes and the coir matting decomposes. It is considered reasonable to limit risk of any boat damage to the edge and to require the exact design / nature and duration for the retention of navigation / channel markers to be controlled by planning condition (to be agreed by Broads Officer). In addition, a further planning condition would be reasonable to impose to require details of how any damage to the new edge will be repaired in advance of the new reed edge fully establishing.
- 6.8 BESL have now provided further information regarding how erosion will be monitored as detailed in paragraph 1.8 (with baseline information and subsequent findings being provided to the Broads Authority). This extends to hydrographic / sonar monitoring to ensure that piling driven into the bed does not prove a navigation hazard. Should significant erosion take place, the established erosion monitoring protocol requires for dredging to remove silt / eroded material.
- 6.9 Concern has been expressed regarding the manner in which boats can moor on a temporary basis linked to BASC activities and race events. The initial proposal for temporary buoys has raised concern and Navigation Committee has suggested provision of posts would be more appropriate. In response BESL have been in further discussion with BASC regarding the use of timber posts (but with a height that would limit risk that booms or mainsheets could be trapped by such posts). It is considered that this would be appropriate to address the nature, height and location of such posts by planning condition.
- 6.10 Whilst the navigation concerns expressed are appreciated, on balance, it is considered that provided planning conditions are imposed to secure temporary channel marking, measures for mooring linked to race events for BASC plus erosion monitoring and mitigation measures and safeguards, the proposal would meet the main aims of development plan policies CS3, CS15 and DP13.

- 6.11 The existing floodbank forms part of a continuous public right of way and abuts a length of river used for private long term mooring, plus the Broads 24 hour mooring close to the A146 bridge. The floodbank also offers an opportunity to fish in the area (and other angling opportunities exist to the west of Beccles Bridge in the compartment plus on the south side of the river).
- 6.12 The proposed floodbank defence works will have a short term impact on walking and fishing interest as a temporary closure of the floodbank to the general public will be required whilst works are undertaken and improved floodbanks establish and re-vegetate. The works, once complete, will provide benefits by the provision of enhanced crest width and level surface, improving the public right of way for walkers. As part of the works, the new roll back floodbank, north of the A146 bridge, will be provided with erosion protection in the form of reeded rond.
- 6.13 Based on all these factors, it is considered that the proposal satisfactorily balances recreation and navigation interests against the benefit of delivering sustainable flood defence measures and addresses the key aims of development plan policies.

(b) Habitat/Ecology

- 6.14 Compartment 25 defences protect areas of grassland/grazing marsh east of Beccles Bridge. At the eastern end, just outside the compartment, is a SSSI's. The proposed flood defences will enhance the protection of the area. The loss of grazing marsh resulting from the proposed work is very limited (as no new sokedykes need to be excavated) and the enhanced protection of grassland will significantly outweigh the very limited loss.
- 6.15 The application proposes sourcing material from a site set back some 400 metres from the river, This currently is a set aside area (arable land). Whilst during excavation there will be no ecological or bio-diversity benefit, following completion it is considered that the habitat that will be created will deliver bio-diversity benefits.
- 6.16 Whilst the views of Natural England are awaited, the previous application was supported by Natural England in view of its conservation management benefits. There is no indication that this scheme will not deliver similar benefit and should have no adverse impact on the nearby SSSI. Therefore based on these factors, the proposal is considered to meet the tests of development plan policies CS1, CS2 and DP1.

(c) Hydrology and Flood Risk

- 6.17 The application has been the subject to hydraulic modelling to assess the impact of the proposed defences on water levels in the area (and up and downstream). As with the 2010 application, this has shown that

the proposed works will only lead to a negligible change in water levels in the compartment (and upstream and downstream). Therefore it is considered that the proposal will not materially increase risk of flooding, and accords with the aims of development plan policy CS4.

(d) Archaeological Considerations

- 6.18 As part of the works on southern side of the River Waveney on the opposite bank, important archaeological find were unearthed, notably finding an Iron Age causeway. Potential has been identified for the causeway or other archaeological interest to extend onto the Compartment 25 side of the river. In addition, new excavation is needed for the pond area close to Brick Barn. Initially NCC – HES indicated that trial trenching should take place (based on a brief for this area) prior to application determination. However following further discussions, NCC – HES has now concluded that this matter can be satisfactorily addressed by planning condition (without the need for trial trenching prior to application determination). It is now considered that this matter can be addressed by planning condition requiring archaeological interest to be identified and recorded and this approach will meet aims of development plan policy CS6.

(e) Landscape / Residential Amenity / Transport

- 6.19 In landscape terms, the proposal differs from many BESL schemes as impact will occur both close to the river but also on the valley side with the creating of a new pond. In respect on both works, based on the experience of BESL in securing early vegetation associated with both new floodbank and also where materials are sourced (normally in widened or new sokedykes), it is considered that any landscape impact will be short term and in the longer term the proposed vegetation will introduce a natural appearance in the valley side and will have no unacceptable impact on the valley side landscape. Therefore it is considered that the proposal is consistent with the aims of development plan policy DP2.
- 6.20 Works are generally proposed to floodbanks distant from residential properties. However works are proposed close to a small number of dwellings at the eastern end of the compartment. To limit impact on residential amenity in this area, BESL proposes to limit working hours to 8.00 to 18.00 Monday to Friday and 7.00 to 13.00 on Saturdays. No working is proposed outside these hours or on Sundays or public holidays. It is considered that this would be reasonable to impose by planning condition. This approach should ensure that the proposal is consistent with the aims of development plan policy DP28
- 6.21 Access to the works corridor is specified from the site compound (at Hill Farm) using a limited number of routes. It is considered that provided construction traffic is limited to these routes, the scheme would be acceptable. Norfolk County Council as Highway Authority

have raised no objection. Therefore it is considered that the proposal is consistent with the aims of development plan policy DP11.

7 Conclusion

7.1 The application as now submitted will provide enhanced flood defence whilst protecting agricultural and nature conservation management interest, preserving recreational opportunities and safeguarding archaeological interest. It is considered that subject to the conditions outlined below, the scheme is acceptable and meets the key tests of development plan policies.

8 Recommendation

8.1 Subject to no substantive representation/comment being raised from any outstanding consultees, this planning application be approved subject to the following conditions.

- (i) Standard time limit condition
- (ii) Approved and amended plans
- (iii) Landscape/planting
- (iv) Archaeological investigation
- (v) Temporary footpath closure/signage
- (vi) Site access/delivery route
- (vii) Navigation hazard markers
- (viii) Provision of posts
- (ix) Hours of working
- (x) Timing of works
- (xi) Erosion monitoring (inc sonar) and mitigation
- (xii) Remedial action / mitigation where pile driving unsuccessful / fails
- (xiii) Minimum depth for pile driving
- (xiv) Remedial works – damaged banks until reed established

8.2 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 on 25 April 2003;
- Flood Defence Consent - Under the terms of the Water Resources Act 1991, and the Anglian Land Drainage and Sea Defence Byelaws, our prior written consent is required for any proposed works or structures, in, under, over or within 9 metres of the top of the bank of the River Deben, designated a 'main river'. The flood defence consent will control works in, over, under or adjacent to main rivers (including any culverting). A consent application must demonstrate that:
 - There is no increase in flood risk either upstream or downstream
 - Access to the main river network and sea/tidal defences for

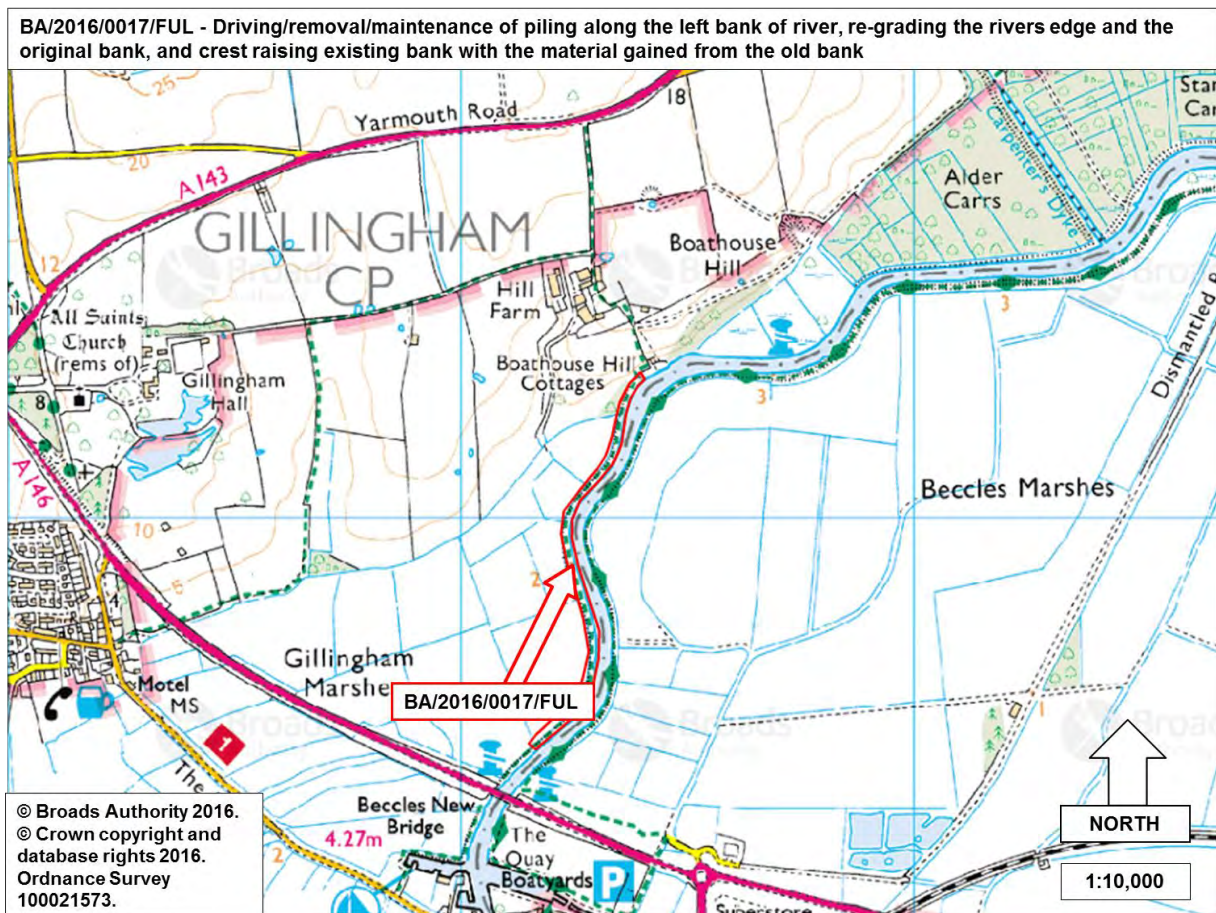
- maintenance and improvement is not prejudiced.
- Works are carried out in such a way as to avoid unnecessary environmental damage
- Mitigation is likely to be required to control off site flood risk

Background Papers: Application File BA/2016/0017/FUL

Author: Andy Scales
Date: 17 March 2016

Appendices: APPENDIX 1 - Site Location Plan

APPENDIX 1



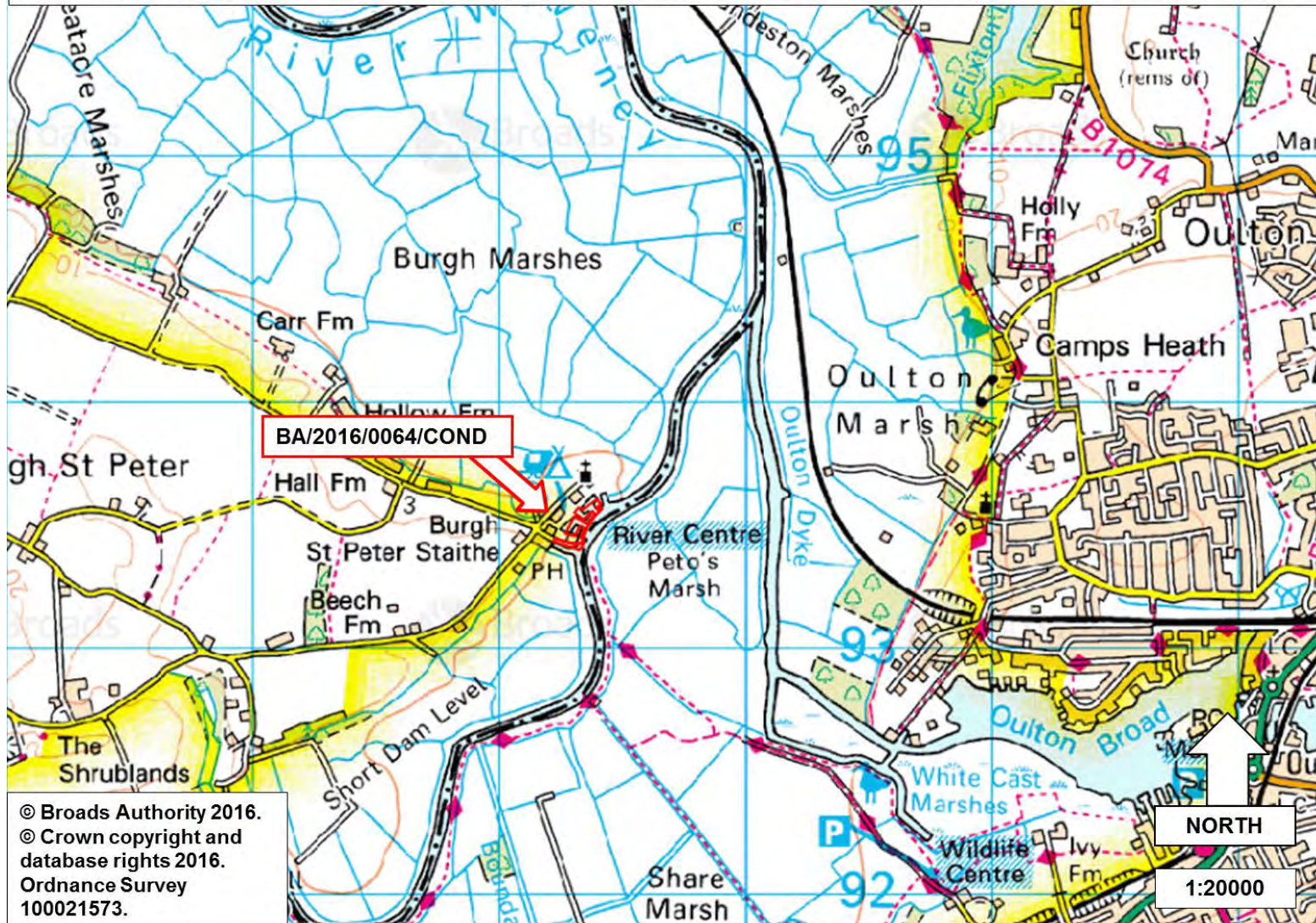
Reference

BA/2016/0064/COND

Location

Waveney Inn and River Centre, Staithe Road, Burgh St Peter

BA/2016/0064/COND - Removal of conditions 1: temporary consent, 3: residential mooring limit, 5: mooring management plan, 6: passing bay signs, 8: vessel size limit and 10: mooring details of permission BA/2015/0251/FUL.



Application for Determination

Parish	Burgh St Peter/Wheatacre
Reference	BA/2016/0064/COND Target date 15 April 2016
Location	Waveney Inn and River Centre, Staithe Road, Burgh St Peter
Proposal	Removal of conditions 1: temporary consent, 3: residential mooring limit, 5: mooring management plan, 6: passing bay signs, 8: vessel size limit and 10: mooring details of permission BA/2015/0251/FUL.
Applicant	Mr James Knight, Waveney River Centre
Recommendation	Refuse
Reason for referral to Committee	Applicant is a Member of the Navigation Committee

1 Description of Site and Proposals

- 1.1 Waveney Inn and River Centre is an established complex of visitor, recreation and boatyard facilities located in a relatively isolated position on the River Waveney at Burgh St Peter. Vehicular access is via largely single track roads off the A143 and the nearest villages of Burgh St Peter, Wheatacre and Aldeby are small settlements with no significant services. The whole area has a strong rural character.
- 1.2 Facilities within the site include a public house with restaurant, convenience shop, swimming pool, cafe, camping and touring caravan pitches, glamping pods, play area, launderette, self-catering apartments, lodges, workshop, and private and visitor moorings.
- 1.3 At the December 2015 Planning Committee, Members resolved to grant planning permission for a proposal for the change of use of the marina from leisure to mixed leisure and residential, with residential moorings not to exceed a total of 10 of the 130 moorings on site. That resolution was to approve the application for a temporary period of five years and subject to conditions, the details of which were delegated to officers to draft, to include:
 - Number of residential moorings and identification on the Plan where these might be applied
 - Use of residential moorings in accordance with Policy DP25 definition

- Register of Residential moorings to be kept for monitoring purposes
- Management Plan for the use of adjacent areas
- Highway conditions including signage on passing bays
- No net loss in number of moorings
- Removal of permitted development rights for change of use of barns/other buildings on site
- Size of boats

The planning permission was issued in January 2016 subject to detailed conditions covering those matters as appropriate.

1.4 This application pursuant to section 73 Town and Country Planning Act 1990, as amended, seeks to remove six of the ten conditions as below. On an application under section 73 Town and Country Planning Act 1990, as amended, a local planning authority shall consider only the question of the conditions subject to which planning permission should be granted, and (a) if they decide that planning permission should be granted subject to conditions differing from those subject to which the previous permission was granted, or that it should be granted unconditionally, they shall grant planning permission accordingly, and (b) if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application. The applicant states in the application that he considers these conditions to be contrary to paragraph 206 of the National Planning Policy Framework which sets out the six 'tests' all planning conditions must meet. Paragraph 206 states: "Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects". Guidance is given on the 'tests' in the Planning Practice Guidance. With regard to the test of necessity, the applicant considers they fail this when it is considered "would it be appropriate to refuse planning permission without the requirements imposed by condition".

1.5 The justification for the removal of the various conditions is as set out below:

Condition	Reason for proposed removal
<p>1. This permission shall expire on 22 January 2021 and, unless on or before that date an application is made for an extension of the period of permission and such application is approved by the Local Planning Authority:</p> <p>(a) the use as residential moorings hereby permitted shall be discontinued; and</p> <p>(b) the moorings shall revert to visitor/private use.</p>	<p>This condition is arbitrary, unreasonable, unnecessary, imprecise, not relevant to planning and does not relate to the development to be permitted:</p> <p>a) the condition unreasonably impacts on the deliverability of the development, because it restricts the appeal of the moorings to people who are transient and not looking for a permanent 'home'. This "damocles sword" will prevent the take up of residential moorings by anybody hoping to settle at the marina - especially in 2 or 3 years time when the deadline is approaching;</p>

	<ul style="list-style-type: none"> b) the term of 5 years is entirely arbitrary; c) the condition is imprecise, as there is no mechanism or objective test proposed which could enable a future viability assessment as described in the decision notice; d) the condition is not relevant to planning and does not relate to the development to be permitted, as it concerns the overall viability of other facilities on site; e) the condition is unnecessary because it is not required to make the development acceptable in planning terms. The material considerations were sufficient for a time-limited consent, and therefore they are also sufficient for the grant of permanent consent.
<p>3. No more than ten moorings within the area outlined in red and shaded in blue on the drawing titled 'Moorings at Waveney River Centre' (received by the Local Planning Authority on 17 July 2015) shall be used as residential moorings (as defined in Informative Note 4) at any one time.</p>	<p>This condition is unnecessary because:</p> <ul style="list-style-type: none"> a) the description of development applied for, as clearly set out on in the application forms and the decision notice, refers to a total of 10 moorings, not to be exceeded; b) condition 2 requires the development to be carried out in accordance with the submitted plans and documentation.
<p>5. Prior to the first occupation of any mooring within the area outlined in red and shaded in blue on the drawing titled 'Moorings at Waveney River Centre' (received by the Local Planning Authority on 17 July 2015) as a residential mooring or within two months of the date of this decision, whichever is later, a plan for the management of the residential moorings and adjacent areas shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be occupied and maintained in accordance with the plan as shall be agreed.</p>	<p>This condition is unnecessary, unreasonable and not relevant to planning:</p> <ul style="list-style-type: none"> a) the marina is operated within the terms of The Yacht Harbour Association's Gold Anchor award scheme and all berth holders must already comply with the marina's terms & conditions relating to acceptable use of moorings and the surrounding areas, as confirmed at para 6.9 of the committee report dated 23rd November 2015. Additional management plans add an unreasonable burden on the business; b) any attempt by an LPA to exert control over the management of an applicant's business is likely to be found to be ultra vires and is certainly

	<p>not relevant to planning;</p> <p>c) there is no reason to suppose that the character of the moorings would become any different as a result of the residential use permitted, making such a condition unnecessary in planning terms;</p> <p>d) public safety is not relevant to planning and is covered by other statutory authorities.</p>
<p>6. Prior to the first use of the development hereby permitted, or within two months of the date of this decision, whichever is later, the existing passing bays on Burgh Road (indicated on drawing number 961-03/100 received by the Local Planning Authority on 2 November 2015) shall be signed with approved passing bay signs, the number and exact locations to be agreed in writing by the Local Planning Authority in consultation with the Highway Authority.</p>	<p>This condition is unreasonable, unenforceable and unlawful because the co-operation of a third party (the highways authority) is required in order to discharge the condition and there is no mechanism in place to ensure this. Therefore, it could become impossible for the applicant to discharge the condition for reasons beyond its control.</p>
<p>8. Any vessel occupying a residential mooring hereby permitted shall measure no more than 25 metres in length.</p>	<p>This condition is arbitrary, unnecessary and does not relate to planning. Vessels exceeding 25m in length are no more or less likely to affect the appearance and amenity of the area than any other, and there is no such restriction in policy DP25. Furthermore, there is no such current restriction on any other vessel in the marina so it is unreasonable to apply it arbitrarily to the 10 residential moorings.</p>
<p>10. Prior to the first occupation of any mooring within the area outlined in red and shaded in blue on the drawing titled 'Moorings at Waveney River Centre' (received by the Local Planning Authority on 17 July 2015) as a residential mooring or within two months of the date of this decision, whichever is later, details of the means of securing each residential vessel to the bank shall be submitted to and agreed in writing by the Local Planning Authority. Each vessel occupying a residential mooring shall be secured in accordance with these</p>	<p>This condition is unnecessary, unreasonable, not relevant to planning and unenforceable. The marina is already populated with boats which must rise and fall with the tide and the exact method will vary according to the type of vessel, the specific location in the marina and seasonal weather variations. Every boat must be adequately and safely secured, whether lived on or not, and these requirements already form an integral part of the day to day management of the marina.</p>

details as shall be agreed, unless otherwise agreed in writing by the Local Planning Authority.	
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1.6 No additional or amended development is proposed in this application.

2 Site History

07/06/0479 Extension of existing caravan site with 8no private units and new sewerage treatment plant - Approved subject to conditions and Section 106 agreement.

BA/2010/0392/FUL Proposed demolition of existing outbuildings and replacement with new build 5 unit bed and breakfast accommodation - Approved subject to conditions (not implemented and expired in March 2014).

BA/2013/0310/FUL Proposed six camping pods - Approved subject to conditions.

BA/2013/0329/FUL New entrances, external cladding and window alterations - Approved subject to conditions.

BA/2013/0405/CU Conversion of existing shop to luxury apartment with re-location of shop to unused part of pub - Approved subject to conditions.

BA/2015/0236/COND Variation of Condition 2 of BA/2013/0329/FUL to amend approved drawings - 'New entrances, external cladding and window alterations'. Retrospective. - Approved subject to conditions.

BA/2015/0243/NONMAT Non Material Amendment to pp BA/2013/0405/CU for minor differences to the external appearance from that approved. Retrospective – Approved.

BA/2015/0251/FUL Change of use of marina from leisure to mixed leisure & residential, residential moorings not to exceed a total of 10. Part retrospective – Approved subject to conditions.

BA/2015/0360/FUL – Restaurant Extension - Approved subject to conditions.

BA/2015/0371/FUL - Replace barn with administration centre – Approved subject to conditions.

BA/2016/0088/COND - Change of fenestration, variation of condition 2, and removal of conditions 4 and 7 of permission BA/2015/0360/FUL. – Pending consideration.

3 Consultation

Burgh St Peter/Wheatacre Parish Council - Most of these matters appear to be technical / legal issues between James Knight and yourselves. However,

councillors could see little merit in putting a 5 year limit on the residential moorings. Councillors would NOT want to see more than 10 residential moorings and would want to see the installation of the passing bay signs, as this is crucial for the free movement of traffic along Burgh Road and traffic safety. We still have a problem with traffic not using the designated route and using Staithe Road and passing through the village. Staithe Road is very dangerous being very narrow and with numerous blind bends. Please can you ask the Highways Department if there any further measures that can be taken to discourage people from using this route (Officers have forwarded these comments to the Highways Authority). (Full comments in Appendix 2)

Broads Society - No objections

District Member - No response

Highways Authority – In terms of the requirements as outlined in para 206 of the NPPF, I believe it can be demonstrated that the ‘tests’ are met. Certainly in highway terms the passing bay signage will make the passing spaces more prominent and indicate to motorists where passing provision has been provided and as such reduce deterioration of the highway network and mitigate the effects of the development. The removal of this condition would not make the development acceptable in highway terms and indeed you will be aware that a recommendation of refusal was initially made.

In terms of mechanisms in place to discharge the condition, I consider the condition as appended to the grant of permission a Grampian condition. However, there are various methods that can be utilised from written agreement for the applicant or his agent to work on the highway (subject to appropriate noticing and insurances) through to formal agreement under Section 278 of the Highways Act 1980.

Indeed the Highway Authority could have recommended a condition requiring the applicant to enter into a formal agreement which would have meant the applicant paying a non-returnable administration fee over and above the works cost; certainly given the scale of the works this was considered unreasonable given the Highway Authority can give written permission to work on the highway.

Therefore as stated above I consider that the condition is necessary and relevant to the development permitted, is precise, reasonable and enforceable. In respect of it being relevant to planning, along with the other criteria, you Authority will have satisfied themselves that the requirements of para 206 are met.

Whilst the Highway Authority would not recommend removal of the condition I am of the opinion that given the nature of the application and supporting documentation, it is for your Authority to consider the grounds relating to the reasoning for the request to remove the condition and make a decision accordingly.

Environment Agency - We did not request any conditions so have nothing to add.

4 Representations

None received.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework ([NPPE](#)) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[Core Strategy Adopted September 2007 pdf](#)

CS1 – Landscape
CS16 - Access and Transportation

[DEVELOPMENTPLANDOCUMENT](#)

DP11 - Access on Land
DP29 – Development on Sites with a High Probability of Flooding

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

CS18 – Rural Sustainability
CS20 – Rural Sustainability
DP25 – New Residential Moorings
DP28 - Amenity

6 Assessment

- 6.1 In terms of assessment, for clarity it is considered appropriate to address each of the conditions which are proposed to be removed from the permission in turn. It should be noted that since the granting of the permission there has been no change in the circumstances of the site, other than the granting of permission for a restaurant extension (commenced) and administration centre, and there has been no change in planning policy or guidance.

Condition 1 – temporary permission

- 6.2 It should be noted that at the December 2015 meeting of the Planning Committee the application was recommended for refusal as it was contrary to Policy DP25 with regard to the location of new residential moorings. However, Members considered the applicant's argument, presented at that meeting, that the presence of residents year-round at this tourism site

would help support the viability of the existing facilities. They considered this to be a significant material consideration and one to which they applied considerable weight. On the basis that this is a very specific situation where the proposal had potential to provide increased benefits and improve the sustainability and viability of the site as a whole within an area where there are fewer facilities for tourism, it was considered that the material considerations could outweigh the provisions of the development plan. In reaching this conclusion, however, the members of the Planning Committee wanted to be sure that this would be the effect of the residential moorings and therefore resolved to approve the proposal on a temporary basis only to enable an assessment of the impacts in terms of the site and the economics of providing facilities, to assess whether the provision of ten residential moorings did improve the economic viability of the Centre.

- 6.3 In applying the condition, officers considered it to comply with the six tests and other relevant guidance, in accordance with the Planning Committee's resolution. Considering in turn the applicant's objections to the condition firstly, with regards to reasonableness, the applicant considers the temporary permission to unreasonably impact on the deliverability of the development by only being attractive to people who are transient and not looking for a permanent home, with this increasing as the five year limit approaches. Whilst this is appreciated, it is the case that much housing is provided on the basis of limited tenure, particularly in the private rented market and in this case the effect of the restriction is no different to, for example, renting a property on a shorthold lease. Such a restriction does not prevent the take-up of such properties. Members considered what is effectively a 'trial period' was necessary in order to assess the applicant's claims with regards to the viability of the existing facilities on site and this was the basis on which the development was approved. The Planning Practice Guidance advises that conditions which place unjustifiable and disproportionate financial burdens on an applicant will fail the test of reasonableness, however that is not considered to be the case here given that this permission relates to the use of moorings and that no operational development was proposed or permitted, the permission affects only the duration of leases which could be given for the residential moorings. As the very nature of living aboard a boat can be transient and at the end of any lease period the moorer could move on to another site, a temporary permission is not considered to unreasonably affect the approved use or make it undeliverable. Three years is the standard period given for a temporary permission, but Members considered a longer period of five years appropriate in this case given that it would affect people's homes. It should also be noted that there was already residential occupation of some boats in the basin which did not have the benefit of any consent.
- 6.4 The applicant considers the condition to be imprecise, citing the consideration of a future viability assessment. However, the condition itself is very precise, setting out the timescale, what it relates to and what should happen at the end of the permitted period. It is not the purpose of the condition to specify what would be considered in a future planning application to renew or extend the permission or make it permanent.

Similarly, the condition itself is not concerned with the viability of the other facilities on site, it merely sets out the duration of the permission and in this respect is relevant to planning and the development permitted.

- 6.5 With regard to necessity, the proposal for residential moorings was considered to be contrary to development plan policies. In order to approve such a proposal, there must be significant material considerations weighing in its favour and in this case Members considered these moorings may help the viability of existing facilities on site and keep these open for the benefit of the wider community. However, this argument had not been demonstrated in the application, or in fact, and a temporary permission allows this to be properly assessed. The Planning Practice Guidance advises “A condition limiting use to a temporary period only where the proposed development complies with the development plan, or where material considerations indicate otherwise that planning permission should be granted, will rarely pass the test of necessity”. In this case the proposal was contrary to the development plan and there was insufficient information available to justify the argument in favour of the moorings supporting the other facilities on site to substantiate the material considerations to support a departure with a permanent permission. The Guidance continues: “Circumstances where a temporary permission may be appropriate include where a trial run is needed in order to assess the effect of the development on the area” and this is the case here.
- 6.6 It is therefore considered the condition as applied passes the six tests and should be retained. Removing the condition would have the effect of making the permission permanent and the applicant has the option of making a further application to do so and providing the necessary supporting information to justify the proposal.

Condition 3 – Maximum number of residential moorings

- 6.7 It is agreed that the description of the development and submitted documents refer to a maximum of ten moorings, however condition 3 clearly sets out that no more than ten moorings shall be used as residential moorings, the area of the site this applies to and how those moorings shall be used. The applicant considers this unnecessary as it is covered by the description and documents listed in condition 2. However, this condition is considered necessary because it precisely sets out what the permission is for and would provide a clear basis for monitoring and enforcement. Removing this condition would not change the effect of the permission overall and would not make the development unacceptable, however it is considered necessary in the interests of precision and the condition is considered to satisfy the other tests, therefore retaining it is considered appropriate. In addition the case of *I’m your Man Limited-v-Secretary of State* [1999] is clear that the grant of planning permission in the same terms as the development proposed in the application for permission cannot be treated as imposing a condition on the permission.

Condition 5 – Management Plan

- 6.8 The condition requiring the submission and agreement of a management plan for the residential moorings and adjacent areas was applied to the permission in accordance with the reasoned justification to Policy DP25 which states *“In order to protect the visual and residential amenity and to ensure that the use of residential moorings does not compromise public safety, where permission is granted for a new permanent mooring planning conditions and/or obligations will be used to secure agreement for the management of the mooring and surrounding land”*.
- 6.9 Whilst it is appreciated the existing terms and conditions of the marina prevent the use of adjacent areas by moorers, this is beyond the control of planning and could change at any time. The needs and activities of residential moorers living aboard boats are considered to be different to recreational moorers occasionally visiting their boats and the use of adjacent areas for storage and amenity has the potential to have a detrimental visual effect on what is a well-maintained site in the countryside. It is considered reasonable and necessary to require a management plan to ensure any adjacent areas are used appropriately without detrimental effects on the appearance of the site and wider area and the amenity and safety of other users, including the public using the main river. These are material planning considerations and securing a management plan for these reasons is not considered to be *ultra vires* or to place any unreasonable burdens on the business.
- 6.10 Removing this condition could potentially lead to inappropriate use of the areas adjacent to the residential moorings with a detrimental effect on the appearance of the site and wider area and the amenity and safety of other users. It is therefore considered appropriate to retain the condition in accordance with Policies CS1 and DP25.

Condition 6 - Highways

- 6.11 It should be noted that the Highways Authority’s initial response to the application was a recommendation for refusal and that position only changed as a result of the applicant agreeing to a reduction in the number of residential moorings from 13 to 10 and agreeing to provide signage to passing bays along Burgh Road. The Highways Authority considered this sufficient mitigation and removed their objection subject to a recommended condition requiring agreement on and provision of passing bay signs.
- 6.12 The applicant considers this condition unreasonable, unenforceable and unlawful because it requires the co-operation of the Highways Authority to discharge it. What the condition requires is for the Local Planning Authority to agree the number and location of the signs in consultation with the Highways Authority. As the Highways Authority are the statutory consultee for highways matters and have the expertise to advise on the acceptability of any proposal for highway safety signs, it is necessary and reasonable to require their consultation to discharge this condition.

- 6.13 This condition is a 'Grampian condition' meaning that it prohibits the use of the development until the passing bays have been signed with approved signage. Such conditions should not be used where there are no realistic prospects of the required action being performed within the time limit imposed by the permission. In this case, the Highways Authority, whose consultation on the signage numbers and locations is required to discharge the condition, recommended this particular condition and it is understood to be a condition they recommend regularly.
- 6.14 The applicant considers the condition unenforceable as he doesn't have complete control over compliance with the condition, because it requires the consent of a third party (the Highways Authority) to carry out the work. The Planning Practice Guidance states "Conditions requiring works on land that is not controlled by the applicant, or that requires the consent or authorisation of another person or body often fail the tests of reasonableness and enforceability. It may be possible to achieve a similar result using a condition worded in a negative form (a Grampian condition)...". The Highways Authority have advised that provision of the signage could have been secured in other ways, but they recommended a Grampian condition and considered it to be the most pragmatic and reasonable means to achieve the required mitigation given that they can give written consent for works to be undertaken in the highway.
- 6.15 Removing the condition would remove any highways mitigation from the development. The passing bay signs would make the bays more prominent and indicate to motorists where passing provision is available and reduce deterioration of the highway network and mitigate the effects of the increased traffic from the development. The Highways Authority have commented that removing this condition would not make the development acceptable in highway terms and they would not recommend the removal of the condition. They consider it to be necessary and relevant to the development permitted, precise, reasonable and enforceable.
- 6.16 The applicant has stated he is willing in principle to carry out the signage subject to the removal of condition 1, as he considers it unreasonable to provide the signage for a time limited consent. The requirement is not considered disproportionate and would continue to benefit visitors to his business and the local community following the expiry of the consent. No alternative condition wording has been proposed the application therefore proposes removing the condition and this highways mitigation. On this basis and taking account of the Highways Authority response, it is considered this condition should be retained in accordance with Policies CS16 and DP11.

Condition 8 – Maximum vessel length

- 6.17 In their response to the application for residential moorings, the Parish Council commented that the boxy shape and large size of residential boats could have a detrimental visual impact and Members resolved for officers to explore how the size of boats could be managed in such a way as to avoid this. It is the function of the planning system to control the use of

land and this does not normally involve detailed matters such as these – for example, it would not be appropriate when granting permission for a car park to dictate what size or colour of cars could use the site. In this case, however, the vessels will by definition (being residential) be moored for long periods in what is a prominent open site within a protected landscape and it is neither unreasonable or unnecessary to manage the size of boats in the interests of protecting the appearance of the development, which is a material planning consideration. Length was considered an appropriate dimension to specify and 25 metres was identified as the maximum as that is slightly larger than one of the largest boats known to already residentially moor in the existing marina. An alternative mechanism to manage this aspect of the development could be considered, however the proposal is to remove the condition, rather than vary it.

- 6.18 This condition also works in conjunction with condition 7 which requires there to be no net loss in the number of moorings from the existing 130, as larger residential boats would reduce the mooring capacity for other users. Removing this condition would remove any control over the size and potential appearance of residential boats and in the interests of protecting the character and appearance of the surrounding area in accordance with criterion (d) of Policy DP25 and Policy CS1 it is considered appropriate to retain it.

Condition 10 – Means of securing vessels

- 6.19 It is appreciated that under their terms and conditions the marina requires all vessels to be adequately and safely secured (and this is a commercial matter), however the purpose of this condition is to manage the safety of the residential vessels with regard to flood risk, which is a planning matter. Any inadequately secured vessel may, in a flood event, become unsafe presenting a risk to other users within or outside the site. However, with a residential vessel, there are more likely to be people aboard in such a situation (although the flood evacuation plan required by condition 9 should require prior evacuation) with their possessions. An inadequately secured vessel is more likely to become damaged in a flood event and the contents of the boat may be harmed too. This would have greater consequences for residential rather than recreational boats as it may leave the occupants without accommodation, placing a greater burden on the community following a flood event, and result in loss of, or damage to, more significant personal possessions, increasing the economic and emotional impact of flooding.
- 6.20 This condition is considered to be necessary to manage flood risk to people and property and this is a material planning consideration, meaning it is relevant to planning. It is considered reasonable as the boats would need to be secured in any case and the condition just requires agreement of the method and it is enforceable as it can be monitored and enforced as necessary. Removing this condition would remove this means of managing flood risk and potentially increase risk to people and property, contrary to Policies CS20 and DP29.

7 Conclusion

7.1 The application proposes removing six conditions from a planning permission for ten residential moorings. The effect of the proposal would make this a permanent, rather than temporary permission, make the effect of the permission and enforcement of it more difficult, remove any provision for the Local Planning Authority to manage use of adjacent areas and the size of boats, remove any mitigation for the increase in traffic on the constrained highway access to/from the site and potentially increase flood risk to people and property.

7.2 It is proposed to remove, rather than vary, the conditions. Each condition is considered to satisfy the six tests at paragraph 206 of the National Planning Policy Framework and the removal of conditions 1, 5, 6, 8 and 10 is considered to be contrary to Policies CS1, CS16, CS20, DP11, DP25 and DP29. This report has been approved by the Solicitor to the Authority.

It is important to remember that the application should be determined on the basis that it has been submitted i.e the complete removal of 6 conditions. Even if it was considered acceptable to remove some, but not all, of the conditions, the proposal to remove all conditions would still be unacceptable and therefore should be refused.

8 Recommendation

8.1 Refuse.

9 Reason for recommendation

9.1 The proposal is considered contrary to Policies CS1, CS16 and CS20 of the adopted Core Strategy (2007), Policies DP11, DP25 and DP29 of the adopted Development Management Policies DPD (2011) and the National Planning Policy Framework (2012) which is also a material consideration in the determination of the application.

Background papers: BA/2016/0064/COND

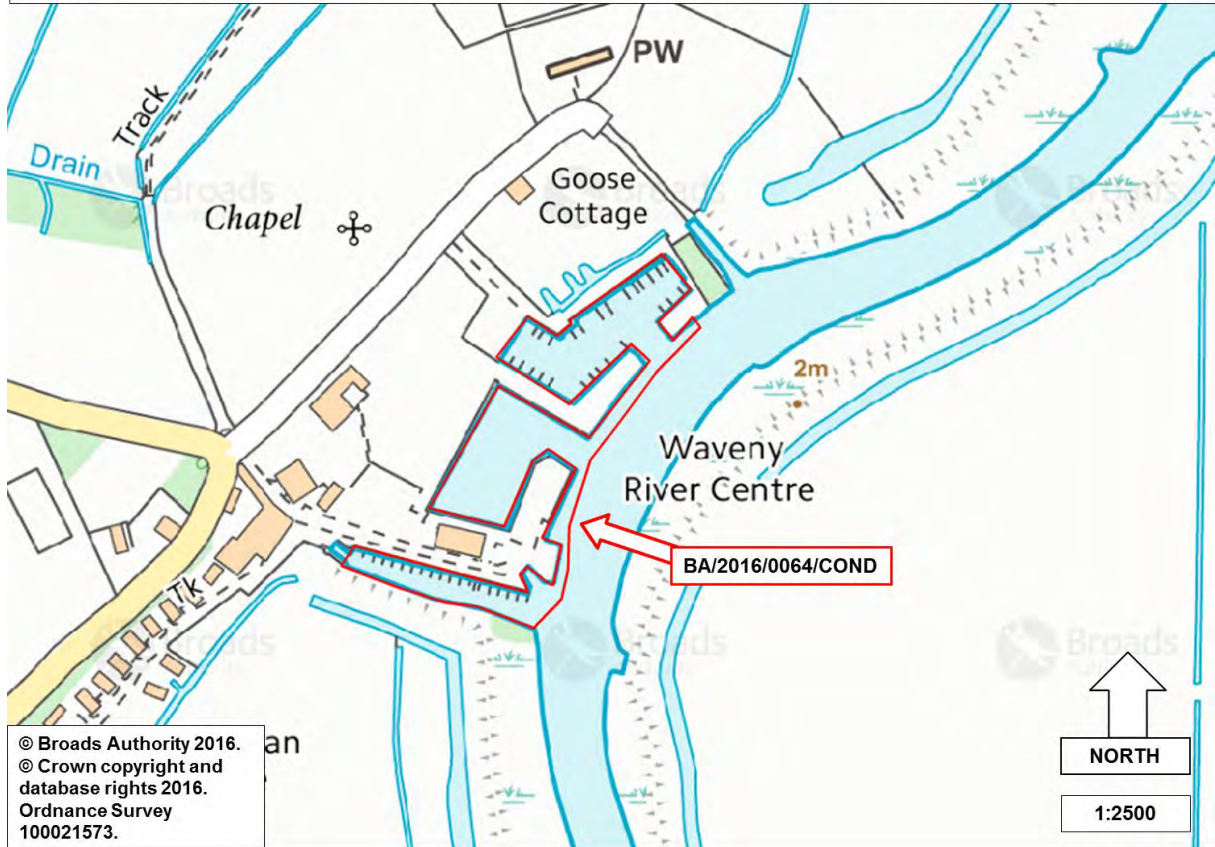
Author: Maria Hammond

Date of Report: 17 March 2016

List of Appendices: APPENDIX 1 – Site Plan
APPENDIX 2 – Letter from Burgh St Peter Parish Council

APPENDIX 1

BA/2016/0064/COND - Removal of conditions 1: temporary consent, 3: residential mooring limit, 5: mooring management plan, 6: passing bay signs, 8: vessel size limit and 10: mooring details of permission BA/2015/0251/FUL.



21 MAR 2016

Wheatacre Burgh St. Peter Parish Council

Chairperson Jacqueline T. Cowin

Clerk Mr. S.C. Solomon
 Tel: 01502 678138
 Stockton Farmhouse
 Burgh St Peter
 Beccles
 NR34 0AD

Tel 01502 678138

Ms Hammond
 Broads Authority Planning Department.
 Yare House
 62 – 64 Thorpe Road
 Norwich NR1 1RY

Dear Ms Hammond

17 March 2016

Planning Applications BA/2016/0064/COND & BA/2016/0088COND

At the March meeting of the Parish Council the above application was considered. The applicant attended the meeting and explained in detail the reasons for why he wished certain conditions removed.

BA/2016/0064/COND Residential Moorings

The Councillors remain opposed to any residential moorings at the Waveney River Centre because of the reasons which have been stated many times in the past. However, the Planning Committee have granted permission with conditions. The view of the Parish Council on each of the conditions to be determined by this application is as follows.

Condition 1- Temporary consent.

A majority of councillors agreed that this condition should be removed because ;

- * It removes the certainty of the applicant and residents that residential moorings will be permitted beyond the 5 year period
- * There appears no mechanism to evaluate whether the residential moorings have a positive or negative impact on the locality, environment or business.

Condition 3 - Maximum number of residential moorings

A majority of councillors agreed that this condition appears irrelevant as the application is for 10 moorings only. Councillors would not want there to be more than 10 residential moorings.

21 MAR 2016

Condition 5- Management plan for moorings.

Councillors consider this to be a technical/legal matter between the applicant and the Broads Authority and have no comment except that the Broads Authority should have the power to take action if the site were to become untidy and like a 'shanty town.'

Condition 6- Highways

Councillors consider this to be a technical/legal matter between the applicant and the Broads Authority and have no comment except that they expect the passing bay signs to be provided and installed as soon as possible as this is a highway safety matter.

Condition 8 – Maximum vessel length

Councillors consider this to be a technical/legal matter between the applicant and the Broads Authority and have no comment.

Condition 10 – Means of securing vessels

Councillors consider this to be a technical/legal matter between the applicant and the Broads Authority and have no comment .

Yours sincerely,



Simon Solomon clerk

Bungay Neighbourhood Plan
Designating Bungay as a Neighbourhood Area
Report by Planning Policy Officer

Summary: This report provides Members with an update on the progress of the Bungay Neighbourhood Plan. Consultation has recently been undertaken in respect of the designation of the Neighbourhood Area. The comments received will be reported to Members verbally at the meeting, together with an Officer suggested response.

Recommendation: That the Planning Committee notes the comments received, and agrees the Officer suggested responses, with modifications as appropriate.

1 Neighbourhood Planning

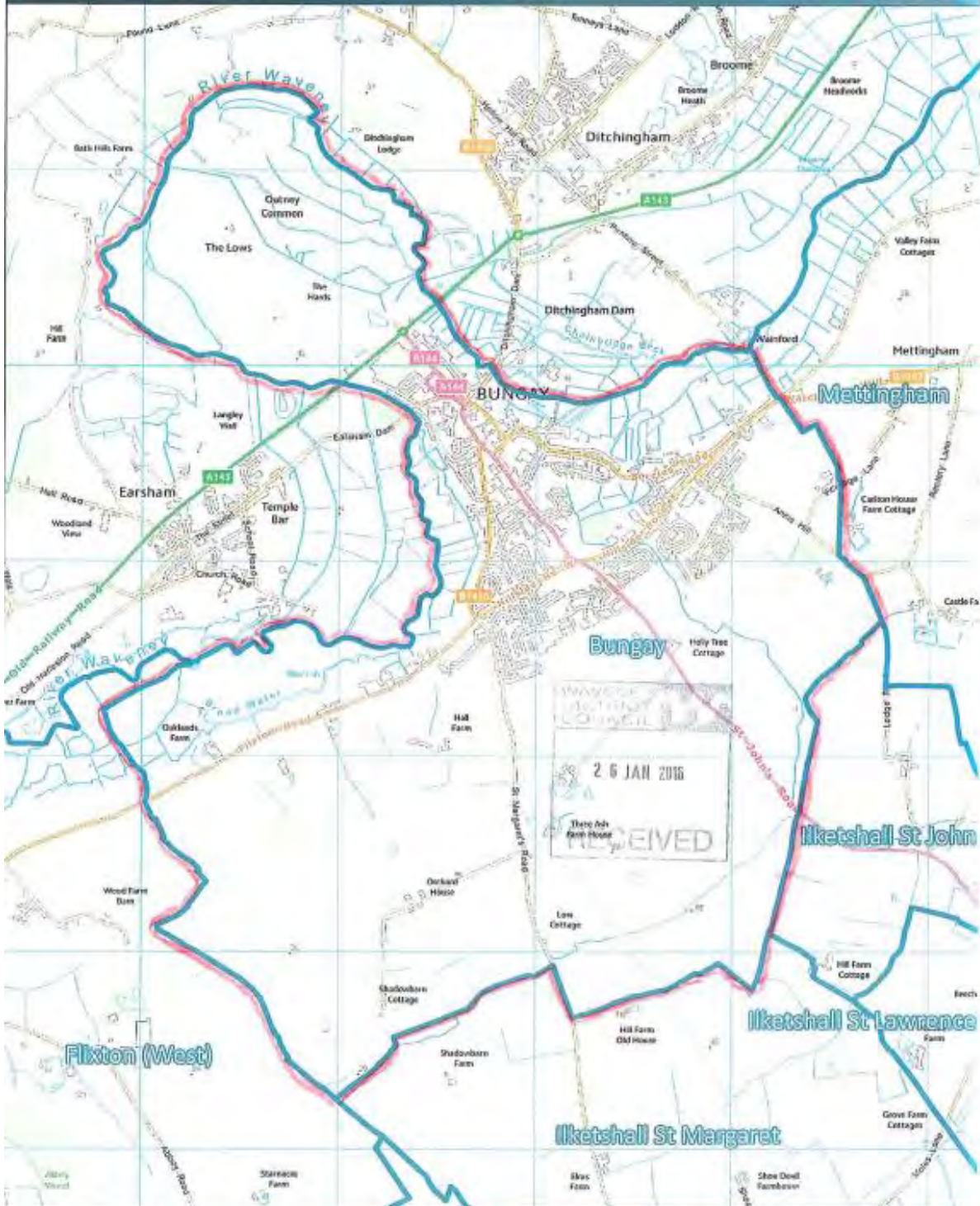
- 1.1 Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gave communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 1.2 A Neighbourhood Development Plan can establish general planning policies for the development and use of land in a neighbourhood, for example:
 - where new homes and offices should be built
 - what they should look like
- 1.3 Under the Neighbourhood Planning (General) Regulations 2012, parish or town councils within the Broads Authority's Executive area undertaking Neighbourhood Plans are required to apply to the Broads Authority and the relevant District Council to designate the Neighbourhood Area that their proposed plan will cover.
- 1.4 Once these nominations are received, there follows a six week period within which any member of the public may submit written comments to the Broads Authority and the relevant District Council regarding the proposed Neighbourhood Area, who will then consider the area, and the comments received, before approving or rejecting its designation. The designation of a Neighbourhood Area is therefore the first step in the process of preparing a Neighbourhood Plan.

1.5 Consultation on becoming a Neighbourhood Area runs from 5 February to 18 March. The deadline for this report was 14 March. As such, in order to not delay the Bungay Neighbourhood Plan, the comments will be reported to Planning Committee verbally with the appropriate recommendation.

2 Bungay Neighbourhood Area

2.1 Bungay Town Council has submitted the application for their entire Parish. The blue line shows the Neighbourhood Area.

Town Profile:
Bungay



www.bungay.gov.uk
www.bungay.gov.uk
www.bungay.gov.uk



Source:
Waveney District Council

3 Links of relevance:

- 3.1 The Broads Authority Neighbourhood Planning webpage:
<http://www.broads-authority.gov.uk/planning/planning-policies/neighbourhood-planning>
- 3.2 Waveney District Council Neighbourhood Planning webpage:
<http://consult.waveney.gov.uk/consult.ti/becclesneighbourhoodarea2015/consultationHome>
- 3.3 Some guidance/information on Neighbourhood Planning:
<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

4 Financial Implications

- 4.1 Occasional Officer time in supporting the process (as required by regulations).
- 4.2 There will be no cost to the Broads Authority for the referendum at the end of the process as Waveney District Council have agreed to take on this task and cost.

5 Conclusion and Recommendation

- 5.1 Comments received will be reported verbally along with the recommendation.

Background papers: None

Author: Natalie Beal
Date of report: 14 March 2016

Appendices: None

Proposed Somerton Conservation Area Public Consultation
Report by Historic Environment Manager

Summary: Members will be aware that the Authority has a responsibility to review its current Conservation Areas and from time to time consider the designation of new ones. This includes the publication of these Appraisals and Management Proposals.

The purpose of this report is to give members the opportunity to comment on re-appraisal work that has been carried out on the Somerton Conservation Area prior to a public consultation exercise.

Recommendations:

That Members

- (i) consider the Somerton Conservation Area draft re-appraisal; and
- (ii) subject to member comments, the Somerton Conservation Area Draft re-appraisal be endorsed for public consultation.

1 Introduction

- 1.1 Members have previously agreed to assessment work being carried on the phased re-appraisal of existing areas, taking into account the duty of the Authority to identify, and maintain up to date appraisals of existing Conservation Areas and, as appropriate designate new areas.
- 1.2 Members will be aware that an informal agreement has been reached with the Districts' Conservation Officers whereby areas that fell mainly within the Broads Authority area would have the appraisal work carried out by the Broads Authority and areas that fell mainly outside the Broads Authority area would have the appraisal work carried out by the relevant district.
- 1.3 The Somerton Conservation Area is split into two distinct areas – East and West Somerton. East Somerton falls entirely within Great Yarmouth Borough and West Somerton entirely within the Broads Authority executive boundary. The two areas are of similar size. In this case, the initial appraisal work has been carried out by the Broads Authority in consultation with the Borough.
- 1.4 The Broads Authority will organise and fund the public consultation. The details of the proposed public consultation process are outlined below.

- 1.5 A copy of the Somerton draft appraisal and draft proposed boundary is appended. (Appendix 1)

2 Public Consultation Exercise

- 2.1. Once Members have considered the draft Conservation Area appraisal and proposed boundary, the next stage of the process is to undergo a public consultation exercise in line with best practice and the Broads Authority Statement of Community Involvement. This will give residents within the Conservation Area and other stakeholders the chance to comment on any issues or options arising from the detailed appraisal work. Officers attended the Somerton Parish Council meeting in September 2015 to discuss initial thoughts with the Council. The Parish Council has been circulated a draft of the appraisal and have indicated their support for a public consultation exercise.
- 2.2. In this instance the consultation is proposed to take the form of a summary leaflet distributed to all households in the Conservation Area and other stakeholders including the Parish Council. The leaflet will include a summary of the appraisal and a map indicating the boundary revisions. The leaflet will also give consultees the opportunity to feedback to the Authority regarding the proposals. It is also intended where practical to advertise re-appraisals in the Parish magazine or newsletter.
- 2.3 During the six week consultation period the Authority will host an exhibition in Somerton where officers from the Broads Authority will be in attendance to answer questions and receive feedback from the public. Officers from Great Yarmouth Borough Council will also be invited to attend.
- 2.4. Following the public consultation exercise a further report will be brought before the Broads Authority Planning Committee setting out the feedback from the public and stakeholder consultation and proposed actions as a result of the consultation.
- 2.5 Taking into account the duty of the Authority to maintain up to date appraisals of existing Conservation Areas, formally designate areas which are considered worthy of designation and other policy issues, the Committee will at that stage consider whether or not to formally adopt the re-appraisal of the Somerton Conservation Area.
- 2.6 The Heritage Asset Review Group considered the draft appraisal work at its last meeting on 4 December 2015 and recommended a report to Planning Committee for consideration and a decision regarding public consultation.

3 Financial Implications

- 3.1 There are financial implications of a continuing appraisal programme for existing and proposed Conservation Areas within the Broads in terms of initial assessment and if required more detailed appraisal work.
- 3.2 The Authority has a Cultural Heritage Budget of £30 000 part of which has been allocated for carrying out this continuing appraisal programme. The Historic Environment Manager will continue to identify and carry out initial assessment work in house. The existing budget will be used where considered appropriate to fund the detailed appraisal work.
- 3.3 The Somerton Conservation Area boundary may be altered as a result of the re-appraisal, There will however be no additional financial implications for its administration, as the potential amendment to the boundary is for a slight increase and slight reduction in area resulting in no significant net gain in area. The part of the area in question is inside the Broads Executive area.
- 3.4 The administration of the area in terms of the consideration of development management proposals, works to trees applications and future appraisal work will therefore be no greater than previously existed.



4 Conclusions

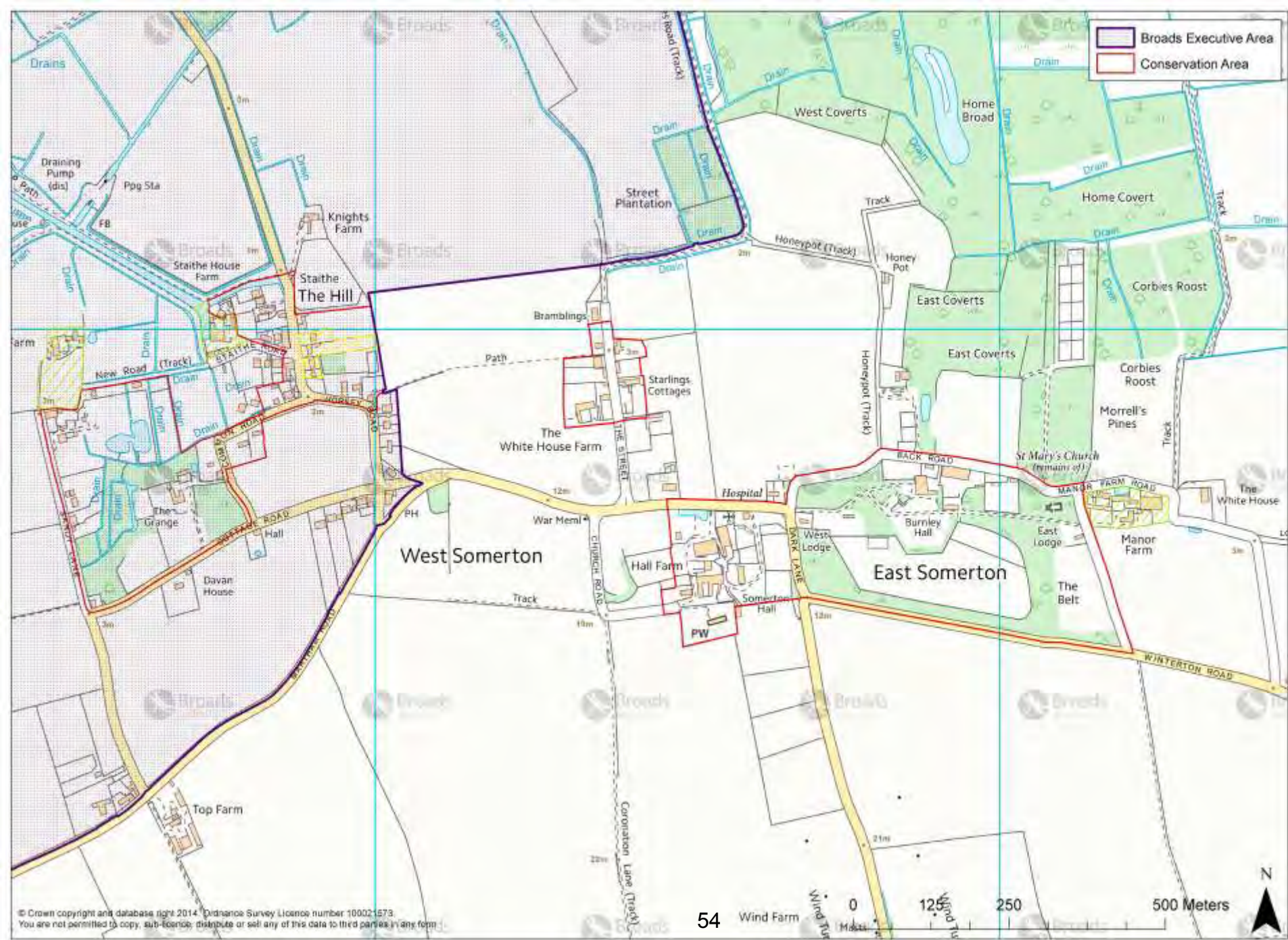
- 4.1 The Authority has a statutory duty to consider areas which are worthy of designation as Conservation Areas.
- 4.2 Up to date Conservation Area appraisals provide a useful reference for both the Local Planning Authority in the determination of applications. They also provide useful guidance for applicants and agents when considering the preparation of development proposals.
- 4.3 It is considered that the area identified by the draft boundary map and described in the draft appraisal at Somerton is worthy of Conservation Area designation following a detailed assessment, and that public and stakeholder consultation is required.

Background papers: None

Author: Ben Hogg
Date of report: 11 March 2016

Appendices: APPENDIX 1 - Draft Appraisal and Draft Proposed Boundary

-  Broads Executive Area
-  Conservation Area







Starlings Cottages

Starlings Cottages

the house Farm

THE STREET

12m

Hospital

r Meml

CHURCH ROAD

Hall Farm

West Lodge

Burnley Hall

East Lodge

Manor Farm

East Somerton

The Belt

Somerton Hall

PW

12m

DARK LANE

BACK ROAD

MANOR FARM ROAD

St Mary's Church (remains of)

East Coverts

East Coverts

Corbies Roost

Morrell's Pines

Honeypot (Track)

Track

Broads

Broads

Broads

WINTERTON R

East and West Somerton Conservation Area Appraisal

Introduction

Why have Conservation Areas?

A review of policies relating to the historic environment carried out by English Heritage on behalf of the Secretary of States for Culture Media and Sport and the Environment Transport and the Regions was published in December 2000 under the heading 'Power of Place'.

The Report which reflected views now held generally by the population at large, confirmed 5 main messages

- i Most people place a high value on the historic environment and think it right there should be public funding to preserve it.
- ii Because people care about their environment they want to be involved in decisions affecting it.
- iii The historic environment is seen by most people as a totality. They care about the whole of their environment.
- iv Everyone has a part to play caring for the historic environment. More will be achieved if we work together.
- v Everything rests in sound knowledge and understanding and takes account of the values people place on their surroundings.

In summary we must balance the need to care for the historic environment with the need for change. We need to understand the character of places and the significance people ascribe to them.

The concept of Conservation Areas was first introduced in the Civic Amenities Act 1967, in which local planning authorities were encouraged to determine which parts of their area could be defined as "Areas of Special Architectural or Historic Interest, the character or appearance of which it is desirable to preserve or enhance".

The importance of the 1967 Act was for the first time recognition was given to the architectural or historic interest, not only of individual buildings but also to groups of buildings: the relationship of one building to another and the quality and the character of the spaces between them.

The duty of local planning authorities to designate Conservation Areas was embodied in the Town and Country Planning Act 1971, Section 277. Since then further legislation has sought to strengthen and protect these areas by reinforcing already established measures of planning control in the Planning (Listed Buildings and Conservation Areas) Act 1990, and now reflected in the National Planning Policy Framework (NPPF).

Unlike Listed Buildings, which are selected on national standards, the designation of Conservation Areas in the main is carried out at District level based upon criteria of local distinctiveness and the historic interest of an area as a whole. However, in the past, the criteria adopted by different local authorities in determining what constitutes a special area have tended to vary widely. For example, although public opinion seems to be overwhelmingly in favour of conserving and enhancing the familiar and cherished local scene, what is familiar to many, may only be cherished by some.

Over the last 30 years this approach has changed significantly. Much greater emphasis is now placed on involving the local community in evaluating 'what makes an area special', whether it should be designated and where boundaries should be drawn.

It is now recognised that the historical combination of local architectural style and the use of indigenous materials within the wider local landscape creates what has been termed 'local

distinctiveness'. Distinctiveness varies within the relatively restricted confines of individual counties, which in turn are distinct in terms of the country as a whole.

Conservation Area designation for settlements and wider areas which embody this local distinctiveness may afford them protection against development which bears no relation to the locality either in terms of the buildings within it or landscape surrounding it.

The historical development of such settlements and their surrounding landscape are the 'journals' through which the social and economic development of the locality can be traced. The pattern of agricultural and industrial progress of settlements (their social history) is by definition expressed in the architecture and landscape of any area.

It is not intended (nor would it be desirable) to use Conservation Area designation as a way of preventing or restricting development, the expansion of a settlement or preventing contemporary innovative design. Logically in the future new development should add to, rather than detract from the character of an area and will in turn help to chart historical development. However, all development should seek to preserve and/or enhance the character and appearance of the area.

Aims and objectives

Somerton Conservation Area was originally designated in (to be confirmed) This appraisal examines the historic settlement and special character of East and West Somerton, reviews the boundaries of the Conservation Area and suggests areas for consideration.

If adopted, the appraisal will provide a sound basis for development management and encourage development initiatives which endeavour to improve and protect the Conservation Area as well as stimulating local interest and awareness of both problems and opportunities.

Planning policy context

For planning related matters, the land and buildings in the Grange and staithe part of the Conservation Area of West Somerton are within the Broads Authority area, and those within the remainder of the boundary, in Great Yarmouth Borough District, as indicated on the attached map.

There are a range of policies which affect Conservation Areas within both the Broads Authority and Great Yarmouth Borough Council areas, originating from both national and local sources. The latest national documents in respect of historic buildings and Conservation Areas are The Government's Statement on the Historic Environment for England 2010. The National Planning Policy Framework published in March 2012, and Planning Practice Guidance for the NPPF 2014, published by the Department for Communities and Local Government. The Broads Authority and Great Yarmouth Borough Council consider the various provisions contained in them in plan making and decision making.

Locally, in line with government policy, the Broads Authority is currently reviewing and revising local policies which will be published in the Local Plan (formerly the Local Development Framework (LDF)). The Broads Authority has an adopted Core Strategy (2007) and Development Management Policies DPD (2011) and its Sites Specifics DPD was adopted in June 2014. The Broads Authority has some saved Local Plan (2003 and 1997 respectively) Policies in place.

To support these policies, the Broads Authority provides further advice in a series of leaflets, which are currently being reviewed and expanded as part of the Local Plan process. A list of those currently available is attached in Appendix 2.

Great Yarmouth Borough Council has recently adopted a new core strategy in December 2015 and are producing their Sites Specifics DPD.

Preamble

Part of the Conservation Area at West Somerton is within the Broads Authority Executive area, the remainder of West Somerton and East Somerton is within Great Yarmouth Borough area. This appraisal is being carried out on behalf of the Broads Authority and Great Yarmouth Borough Council.

It considers the whole of the Somerton Conservation Area, divided into the following three character areas;

- West Somerton – The Grange and The Staithe
- West Somerton – The Street and White House Farm
- East Somerton – Somerton and Burnley Halls

Summary of Special Interest

A group of settlements with individual characters based around the staithe on the River Thurne and the two large estates of Burnley and Somerton Halls. Set in gently rolling fertile agricultural land adjacent to the lower lying Broads marshes, the Conservation Area contains many mature trees. The use of local materials is a significant feature of the historic buildings in the settlements. The villages are distinct. East Somerton sits on slightly higher ground towards Winterton and in some ways, is less typical of the character of a Broads village. Whilst West Somerton has many of the typical features of a Broads Village including a boat dyke, staithe and outlook to open marshes. The settlements clearly have much shared history as well as their own - the redundant Church of St Mary at East Somerton is a reminder of this. The grazing marsh, river, staithe and agriculture clearly shaped the settlements and this tradition continues today with locally harvested reed and sedge still being landed at the staithe for use locally as roofing material and cattle continuing to graze the marshes.

Location and context

Somerton Parish comprises of the settlements of East Somerton and West Somerton, situated some 8 miles north of Great Yarmouth, 22 miles north-east of Norwich and just over 1 mile from the coast at Winterton-on-Sea.

General settlement character and plan form

In contrast to the linear pattern of developments on the coast to the east, development in the parish of Somerton is made up of groups of buildings associated with farmsteads, and in the case of East Somerton, large country houses and their estates. This pattern of land ownership is important in how the settlements have evolved, as is the position of the parish between the Broads marshlands and the coast. West and East Somerton were traditionally agricultural communities based around the two large farming estates of Somerton and Burnley Halls, with the adjacent marshlands used for grazing livestock and the valley sides for general agricultural use. In West Somerton, the proximity of the staithe on the River Thurne was important for trade and communications. Nowadays, the majority of the residents are employed away from the village, and the staithe is mainly used by visitors by boat or by road although some trades and practices continue locally.

Geological background

Many millions of years ago the area now occupied by Norfolk lay beneath the sea. Deposits laid down on the sea bed formed Cretaceous Chalk which underlies the whole of Norfolk. It is the oldest rock type to be found in East Anglia, with an approximate age of 100 million years, and because it was subjected to smoothing glacial action, it provides a much more subdued topography than in other areas of Britain. The chalk deposits were subsequently overlain in Pleistocene times by a series of sand, muds and gravels, and these shelly sand deposits are known as 'Craggs'. They bore the first brunt of the Ice Age as large glaciers moved into East Anglia from the north; the action of the ice moving over the loose deposits contorted the underlying material into complex thrust-type folds, known as 'contorted drift'. During the Ice Ages, rivers carved out wide but shallow valleys, which as they flowed down towards the lower levels, formed large loops or meanders with wide flood plains as can be seen on the River Thurne to the west of Somerton. The River Thurne once flowed out to sea along the line of the Hundred Stream between Horsey and Winterton, and the line of the old river can be seen to the north of Somerton as a wide rush filled depression. Thus the 'marshes' of the Broads were formed resulting in the lush grazing meadows adjacent to the river at Somerton and the fertile agricultural land on the very slightly higher valley sides nearby.

Historical development

The name Somerton derives from the Old English meaning 'summer enclosure', which suggests the movement of animals between winter and summer pasturage, (Winterton, being the winter pastures). The parish of Somerton has a long history and was well established at the time of the Norman Conquest, its population, land ownership and productive resources being extensively detailed in the Domesday Book of 1086. This document records that before 1066 the lands were under the jurisdiction of various individuals including Archbishop Stigand, Wymarc and Berard. It would seem at that time some of the lands were of great value, worth pounds rather than shillings.

Archaeology

The Norfolk Historic Environment Service compiles records of known archaeological activity, sites, finds, cropmarks, earthworks, industrial remains, defensive structures and historic buildings in the county. These records are known as the Norfolk Historic Environment Record (NHER), and an abridged version can be accessed through the Norfolk Heritage Explorer website at www.heritage.norfolk.gov.uk.

Early History

Many of the entries on the NHER for Somerton Parish are outside the Conservation Area boundary, but the earliest evidence of human activity in the Parish include archaeological finds such as a flint axe head from the Mesolithic period, a polished flint axe head from the Neolithic period and flint flakes from the Neolithic and Bronze Age periods which are commonly produced during the manufacture of flint tools. Aerial photography has identified ring ditches marking the location of prehistoric mounds or barrows in the areas around Collis Lane, Top Farm and High Barn Farm. The dating of these features is uncertain, although it is thought that they could be from the Bronze Age or even the earlier Neolithic period. The most exciting prehistoric site is at Gibbet Hill where the cropmarks of four ring ditches have been recorded. The location on a prominent, south facing spur of land indicates that this is likely to be a Bronze Age round barrow cemetery, which suggests a reasonable investment of human activity within the landscape during this period, with these different barrow clusters representing important ceremonial or funerary centres.

However, there appears to have been a drop off in human activity during the Iron Age, although cropmarks of field systems at Blood Hills Farm and Top Farm may indicate that farming occurred during this time.

Pottery sherds and coins suggest that evidence for occupation during the Roman period and it is possible that some of the bricks used in the construction of St Mary's Church may have been of Roman origin, possibly re-used from a nearby Roman building. Although no sites from the Saxon period have been identified, artefacts including pottery sherds, a French-style buckle, strap fitting and an early brooch have been found in the Parish.

Mediaeval period

During the Mediaeval era there were two churches dedicated to St Mary in Somerton, both within the Conservation Area boundary. Records indicate that the one in East Somerton was last used in the 17th century, but it is now a ruin with only the roofless nave and tower surviving. The main fabric of West Somerton Church dates from the 11th to the 14th century with an impressive round tower constructed during the 14th century. It is still in use and contains a number of important 14th century wall paintings. The church is on rising ground known as Blood Hills which is said to have been the scene of a bloody battle between the Vikings and the Saxons. In the churchyard is the grave of Robert Hales, the Norfolk Giant. He was born in the village in 1820 and one of nine children. Eventually reaching 7 ft and over 32 st, he worked in the circus world, met Queen Victoria and retired to a pub in London. As his health worsened he returned to Norfolk, where he died in 1863.

Another ecclesiastical foundation in Somerton during this period was St Leonard's Leper Hospital, now part of the garden of Hall Farm. Originally established in the late 1180s for the care of 13 lepers, by 1397 The hospital was caring for only four patients, the site was described as 'desolate' and the hospital was dissolved shortly afterwards.

Other records for the Parish indicate a possible peat digging/sluice on nearby Martham Broad, a gibbet at Gibbet Hill and the site of a mill at Top Farm. Amongst the artefacts for this period found

through metal detecting and field walking across the Parish include coins, buckles and pottery shards as well as more unusual pieces such as a 14th century seal matrix featuring the pelican of piety and three of its young in their nest, a gold finger ring with a blue stone and a lead Papal bulla of Sextus IV.

Later history

Many of the post-mediaeval records are concerned with the drainage of lands around Martham Broad. Earthworks and cropmarks visible from aerial photographs indicate a number of ditches and drainage ditches serving drainage mills and pumping engines to help drain or irrigate the farmland. Nothing survives of the West Somerton Engine, but the brick tower of the West Somerton Drainage Pump stands a reminder of these activities, and a wind pump north-east of Leath Farm is recorded on the 19th century Tithe map.

Unusually, there are two post mediaeval Halls in the Conservation Area at Somerton. Dating from the early 18th century Burnley Hall is a grand red brick building complete with stables, carriage house, icehouse, dovecote and a high boundary wall. Somerton Hall (sometimes referred to as just The Hall), has 16th and 18th century origins, and although much altered in the 19th century, the earlier walled gardens are still discernible and many of the associated farm buildings survive to the west of the Hall. It is clear from this that the halls must have represented elegant and significant estates, but unlike other Norfolk Halls, neither of them has a surviving associated park, although Burnley Hall is set in large grounds which may have been more extensive than they are now. Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883 describes Burnley Hall as 'a mansion surrounded by beautiful gardens, plantations and lawn'.

West Somerton is connected to the River Thurne via Martham Broad; the rivers, dykes and streams were once important arteries for the rural economy of less accessible villages. One of the most important wherry owners in Somerton were the Thain family. The 1881 census records that Dionysius Thain was living at Staithe House with his wife and eight children and was listed as a coal merchant. Three of his sons and their lodger were listed as wherrymen. The Thains owned several trading wherries, amongst which was the Lord Roberts which was built at West Somerton around 1899, by Ben Benns from Great Yarmouth, a journeyman builder who travelled to wherever he was needed to build boats. The Thain family were the last owners of the Lord Roberts which was in use on the Broads until the late 1960s; descendants still live in the village.

During the 19th century as rail and road transport became viable options for the movement of goods, the wherry trade declined and the lesser waterways in the upper reaches of the Norfolk and Suffolk Broads became neglected. Nowadays it is only smaller pleasure craft that can access villages such as Somerton. However, the cottages around the staithe have changed little in the last hundred years as can be seen from early 20th century photographs.

The most recent archaeological sites relate to activity during World War Two, due the position of the village near the coast. The sites of two pill boxes, a searchlight battery and a number of bomb craters have been identified as well as the crash site of a Wellington Bomber south of High Barn Farm.

Spatial and character analysis

Landscape character

The settlements at Somerton are situated in an area of great landscape and wildlife importance in the Upper Thurne part of the Broads river system. West Somerton is at the head of navigation of the River Thurne, located on slightly raised ground at the edge of a large expanse of Broads marshland which stretches towards Martham Broad, Horsey Mere and the coastal dunes, with higher land to the south.

Deep, well drained coarse loamy soils, associated with the glaciofluvial and drift deposits have formed fertile, gently undulating land, predominately under grazing or arable cultivation. The field pattern in the area is geometric, of medium to large size, with fields defined by intermittent Enclosure hedgerows of variable density and quality. This area appears as more 'managed' than the surrounding landscape with neatly trimmed hedges on many of the minor roads. Locally distinctive features are the dense woodland belts, wooded coverts and former decoy ponds to the north of East Somerton associated with the parkland of Burnley Hall and the thickly wooded area around The

Grange. The road pattern is generally sinuous, with pronounced twists and turns following field boundaries, indicating the earlier land ownership.

West Somerton - the Grange and the Staithe

Development at West Somerton is at the lower level towards the area of the former estuary of the River Thurne, and there are views into this part of the Conservation Area from Martham Road (outside the boundary) on the higher ground of the valley sides, across to The Grange woodland, which stands out as a feature within a landscape of largely open arable fields, as well as to the western part of the Conservation Area around the staithe. Sandy Lane slopes down to The Grange and views from here, Cottage Road and the eastern section of Horsey Road are long ranging with remnants of field boundary hedges and trees framing the skyline.

Views to and from the north eastern area around The Grange and around the staithe are across low lying open farmland punctuated by intermittent trees and hedges along the lines of drainage ditches, with the coverts of Burnley Hall visible on the skyline to the west. The settlement boundaries are distinctly contained by minor roads and field boundaries in this area. From certain positions, the Somerton wind turbines to the west and the West Somerton drainage mill to the north are prominent features on the skyline.

The Grange is in the western most part of the Conservation Area. A group of three buildings are shown here on 19th century maps and although the current house dates from the 20th century, some of the outbuildings may be of an earlier date. The house is hidden in a thickly wooded area on an otherwise generally open landscape and is bounded by Sandy Lane, Cottage Road and part of Common Road, the north and north east boundaries abutting grazing marshland. Slightly more visible from Sandy Lane, nearby Heronfield is an early 19th century, Grade II listed house constructed of local red brick with a black glazed pantile roof. The remainder of the development here consists of a number of traditional cottages, dating from at least the 18th and 19th centuries, on the edge of the woodland along Sandy Lane. The colour washed render and thatched roofs of Holly Cottage, West View Cottage and Rectory Cottage all contribute to the character of the Conservation Area. Trees in the wooded area of The Grange are protected by Tree Preservation Orders. The overall character of this area is of a group of traditional buildings nestling in the protection of a substantial group of tree planting against the elements of the surrounding open countryside.

At the end of Sandy Lane, to the north west of the Grange, Staithe Farm consists of a farmhouse and large barn, the latter recently converted to a house. Both are constructed of local red brick and red clay pantiles and appear to date from the late 18th or early 19th century. A similar group of buildings is shown on 19th century maps on this site. *It is proposed that consideration might be given to extending the Conservation Area boundary here to include the buildings and their immediate environment as part of the historic settlement.* The open nature of the landscape permits long views across the grazing marshes to West Somerton Drainage Pump.

To the south-west of the Grange at the junction with Cottage Road, Grange Cottage, a single storey building on with, dates from the late 19th century, although much extended earlier this century. It is likely that it was associated with the former Grange. Opposite the junction of Cottage Road with Common Road, the village hall a small pitched roof building clad in green painted corrugated sheeting makes an unusual contribution to the area albeit that it is outside the Conservation Area boundary. The Conservation Area boundary runs along Cottage Road where at the eastern end at the junction with Common Road, East View, an early 20th century brick and rendered house adds to the character of the area.

The Grange section of the Conservation Area is connected to that around the staithe via Common Road and Horsey Road. Development on this section of Common Road is a mixture of 19th and 20th century houses and bungalows, the majority of which do not make any significant special contribution to the character of the Conservation Area. Sparrow House to the south of the road is traditionally built of colour washed render with deep-set dormers in a catslide thatched roof. Its scale and form contribute to the character of the area the 20th century replacement windows and front door are not of traditional detail.

On the opposite side of the road, facing open farmland, Stanley Cottage has 19th century origins but has been much extended whilst First Cottage has retained its traditional character being built of colour washed render with a pantile roof. The low sweeping pantile roof and flint and brick boundary wall beside First Cottage are attractive features at the junction of Common Road with Horsey Road.

At the eastern most edge of this part of the Conservation Area, Ivy House faces the corner in a prominent position. A 19th century house of local red brick, there are several thatched, possibly earlier outbuildings in the grounds including an unusual curved roof single storey building on the footpath to the east of the house. All make positive contributions to the Conservation Area. Another barn and single storey outbuildings (all thatched) are in the curtilage of the neighbouring Home Farm House, although little remains of the earlier building which has been substantially altered and extended during the last century.

The majority of the houses on the remainder of the east side of Horsey Road are 20th century, and whilst attractive, mainly behind tall hedges, do not make any significant special historical contribution to the character of the Conservation Area. The exception is the last house, Deepwell Cottage, a storey and half cottage of traditional design built gable end to the road of local red brick and pantiles which has been sympathetically extended around a courtyard. The unusual brick and pebble boundary wall makes an attractive addition to the street scene.

The traditional pattern of development is more discernible on the west side of Horsey Road; The Old Post Office Cottage although considerably extended in the 20th century retains its traditional scale and form and uses the local materials of beech pebbles and red brick in the gable facing the road. The neighbouring terrace of three cottages may have 19th century origins. At the entrance to The staithe the low sweeping roof above a flint and brick wall of Tudor Cottage are distinctive features.

The staithe is visually the centrepiece of the Conservation Area. A distinctive Broads village scene with cottages grouped around two sides of a grassed area, opposite the staithe boat dyke. The cottages here are small scale, two storeys of colour washed render with thatch and red or black pantiles. Low timber bollards provide an effective and visually low key means of limiting parking to a small shingled area and this and the timber seats are appropriate for the setting of the staithe. Small boats moored by the timber quay heading, Reeds and rushes on the banks and long open views across marshland northwards to the West Somerton wind pump are archetypal images of this part of the Broads. Horsey Road winds gently northwards between pollarded willows towards a thickly wooded horizon. This area has a very natural feel, with the only discordant element the electricity wires carried on a line of timber poles to the north-west, although even these have play a part in the local scene as they serve the pumps to drain the marshes.

A footpath on the opposite side of the waterway to the cottages heads along the river bank past the listed West Somerton wind pump which is outside the Conservation Area.

The existing Conservation Area boundary includes the farmhouse at Staithe House Farm, which sits in a prominent position at the head of the waterway, but excludes the farmyard area behind. Part of Staithe Road is already in the Conservation Area and although the buildings here are generally of little historic interest. *It is proposed that consideration might be given to extending the Conservation Area boundary to include the farmyard, waterway and the rest of the north of Staithe Road as it was clearly part of the historic settlement at the head of the staithe.*

West Somerton – The Street

The settlement at The Street is some distance from Horsey Road. The narrow lane approach is unusually straight for the area and flanked by neatly cut hedges, which restrict views across the adjacent countryside, although the tower of St Mary's Church, the wind turbines and the wooded areas around Burnley Hall can be seen to the south and east. Once again the boundaries of development are noticeably defined on either side of The Street and the geometric pattern of its pantile roofs can be discerned from Horsey Road on slightly higher ground.

In contrast to development around the staithe, houses and cottages at The Street are generally tightly sited either side of the lane. With no footpaths and a number of the buildings built on the edge of the road The Street has a very self-contained appearance. This characteristic is reinforced as it is not a 'through road' for general traffic and has a quiet and peaceful nature. There is a mixture of building

orientation with some gable end to the road, others with their roofs running parallel to it. There has been little 20th century development here and the majority of the houses and cottages date from the late 18th or early 19th century settlement. The pallet of building materials is more coherent here than at The Staithe area, including local red brick, beech pebbles, colour washed render, pantiles and thatch all of which add to the quality of the Conservation Area. Notable buildings include on the west side, White House Farm, and the barns to the west (now houses)Farriers, Thatched Cottage, The Two Cottages and on the east side - The Gables, and Starlings Cottages (1 – 4).

East Somerton – the Halls area

The Conservation Area at East Somerton is centred on Burnley and Somerton Halls, built on the slightly elevated land above the former river valley floor.

The approach from the west is via Winterton Road which curves gently towards East Somerton through open farmland with intermittent hedges, views of the wind turbines on the horizon to the south. The tower of St Mary's church, West Somerton heralds the settlement around the two Halls of East Somerton, but other views into the area are restrained by high walls, trees and extensive woodland.

Church Road flanked by neatly cut hedges, rises up to the church and the buildings around Somerton Hall. St Mary's Church is on the edge of the settlement and approached from Church Road through a 20th century lych-gate. The church, which has been comprehensively repaired in recent years, winning a heritage Angel Award from English Heritage in 2012, is listed, Grade II* and surrounded by a well kept churchyard. Although the buildings of Somerton Hall and the associated farm can be seen from the church approach, the Hall itself has little direct impact on the visual character of the Conservation Area, due to its position away from public roads. However, the site and its surroundings have a long and complex history and is important in the development of village. The location of a Leper Hospital founded in the 12th century (although no remains are now visible) and of a grand house from the 16th century, the existing Hall is thought to contain remnants of this and another in the 18th century, but was considerably altered and extended during the 19th century. Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883 records that 'The Hall..... is situated on an eminence, and commands views of the German Ocean both to the north and east, and is the old manor house of Somerton-cum-Butley'. Extensive farm buildings built of local red brick generally pre-date the external envelope of the Hall and provide evidence of its historic status. Built on ground rising up towards the church, there are several garden areas retained by substantial red brick walls, some of them elegantly curved. Hall Farmhouse and Hall Farm Cottages are also of interest, the latter adjacent to the churchyard making a positive visual contribution to the Conservation Area.

The main impact of the Somerton Hall estate from public roads is a surprising one after the surrounding gentle open countryside - a tall red brick wall set back behind a grassed area on the corner of Winterton Road and Dark Lane with a low 19th century gatehouse built in a subdued 'cottage orne' style, nestling below it in an almost subservient fashion. The roofs of the Hall can only just be seen over the wall through trees within the grounds. This is a prominent 'set piece' in this part of the Conservation Area.

At the corner of the wall to Somerton Hall, Winterton Road divides with Dark Lane running south beneath large trees between the two Halls to continue on out of the Conservation Area towards Winterton-on-Sea and Back Road east behind Burnley Hall. The entrance to Burnley Hall here is very much lower key than that to Somerton Hall. A white picket gateway leads from Winterton Road to the drive to Burnley Hall which is hidden behind mature trees. This and West Lodge, a 19th century thatched red brick 'gatehouse' beside the gateway are the only hints of the grand house behind. A similar house, East Lodge, is at the opposite end of the drive on Manor Farm Road.

Although Back Road is a public road, there is a definite sense of being in a private part of the estate. Another impressive red brick wall shields Burnley Hall from sight, allowing only intermittent views of the back of the house, outbuildings and the working farmyard area. The principle facades of Burnley Hall face west and south overlooking a low key landscape of rolling lawns shielded from public view by hedges and mature trees. However from Back Road, the tall chimneys and complex roofs of the rear of the hall together with high brick walls and lower flint and brick walls and the historic farm buildings, do more than hint at the status of the estate. Constructed in the early 18th century the

house was built with what were all the modern conveniences of the time – walled gardens, stables, carriage house, an icehouse and dovecote all partially enclosed by a high boundary wall.

Back Lane curves gently past open farmland to the north with wooded covert areas noticeable on the skyline, and then between trees, with the ruins of St Mary's Church to the south almost hidden in dense woodland. This is a very dramatic place – the tower and tall flint walls of the roofless nave of the former church clothed in ivy and window-less arches providing views through the woodland to the sky beyond.

The existing Conservation Area boundary runs along the edge of the wooded area around Burnley Hall including the East Lodge previously mentioned. To the east, Manor Farm is a group of buildings constructed in the 19th century and earlier comprising of a farmhouse, barns and farm buildings, all now sympathetically converted to residential.

It is proposed that consideration might be given to extending the boundary of the Conservation Area to include the buildings at Manor Farm as being part of the historic development of the village.

Architectural styles and materials.

Six buildings within the Conservation Area boundary are included in the Secretary of State's List of Buildings of Special Architectural or Historic Interest. These are listed in Appendix 1. There are also a number of buildings which are considered to make a positive contribution to the character of the Conservation Area and these are noted in Appendices 3 and 4.

Although there is no prevalent architectural style, as would be found for example in planned suburban areas, there are unifying factors of the scale of the buildings and the use of materials. Aside from the two Halls, the traditional buildings are generally of a small domestic scale, two storeys with steeply pitched roofs although one and half storeys, where the upper floor is lit by dormers set into the roof are also found. Some buildings have low sweeping roofs such as that at Tudor Cottage. Colour washed render and red brick are most the commonly used wall materials with, for roofs, red or black pantiles, but there are still a pleasing number of buildings traditionally thatched in reed, often with sedge ridges. All of these materials would historically have been readily available in the local area, and some still are; render, bricks and pantiles using local clay, reed and sedge from the marshes and pebbles (rather than knapped field flints) from the nearby coastal fringes. Later buildings have not always used this more traditional palette as more non local materials became more freely available from the late C19..

Ground surface materials and the public realm.

It is notable that there are neither formal pavements beside the roads nor any street lighting in the villages, the lack of which emphasises the informal rural character of the area. Many of the buildings are constructed on the edge of the road and where this is not the case, the roads are fringed with only narrow grass verges. Any proposals to diminish this character by introducing lighting, kerbs, footpaths and modern materials should be carefully considered. Public road finishes are generally tarmac, the parking area at the staithe is hoggin and this informal material reinforces the rural character of the area as do the low timber posts and timber seats. In the main, the forecourts to buildings are sympathetic to the character of the location, bound gravel or shingle being the most commonly used finish, which is in keeping with the rural location.

Trees, hedges and boundary treatments.

There are significant areas of mature trees in the Conservation Area, notably around The Grange and Burnley Hall and in the grounds of Somerton Hall, the majority of which are protected by Tree Preservation Orders. Much of the surrounding countryside is open fields, but hedges are an important feature in the approaches to the Conservation Area, for example on The Street and Church Road. Within the Conservation Area, gardens are bounded by hedges or low brick or brick and flint walls, which are a feature of the area. These are considered as positive contributor to character reinforcing the rural character of the streetscape, where some more modern materials may not.

Issues, pressure and opportunities for improvements.

Generally the buildings and gardens in the Conservation Area are well maintained and there do not appear to be any structures that would qualify to be on the Buildings at Risk Register.

However, the special character of Conservation Areas can easily be eroded by seemingly minor, and well intentioned, home improvements such as the insertion of replacement windows and doors with ones of an inappropriate design or material, (for example hinged opening lights in lieu of sash windows and UPVC instead of painted timber). This can be a particular issue with unlisted buildings that positively contribute to the character of the Conservation Area. In line with current legislation, all complete window replacements are required to achieve minimum insulation values, but recognising the affect that inappropriate replacements can have, Local Authorities can relax that requirement when considering the restoration or conversion of certain buildings within Conservation Areas, and when considering replacement advice should be sought from the Local Authority at an early stage.

Other pressures on the character of the Conservation Area are the addition unsympathetic extensions, stand-alone structures such as garages and the over development of the sites on which the original buildings stand. Proposals for extending or altering existing properties should be carried out with due regard to the effect on the character of the area.

The village is a popular place and pressure for new development is inevitable. Approval was given some years ago for redevelopment at Staithe House Farm beside the river, but that has not yet come to fruition. Further new residential development could be acceptable in the Conservation Area if achievable without upsetting the delicate balance of its character and if appropriate in policy terms.. The approaches to the village are so important that development outside the village envelope should be resisted.

Recommendations for suggested improvements.

The settlements are well maintained and no obvious areas for improvement were identified at the time of the survey. The informal character of a rural area can easily be eroded by the introduction of more urban elements.

To be discussed

The Conservation Area boundary and suggested amendments.

The boundaries to the Conservation Area are as illustrated on the accompanying map. It is suggested that the following amendments to the Conservation Area boundary could be considered;

West Somerton (Broads Authority Executive area)		
Staithe Farm, Sandy Lane	Possible extension of boundary to include Staithe Farmhouse and Staithe Farm Barn	To include this part of the historic settlement
Staithe House Farm	Possible extension of boundary to include the farmyard area and the rest of Staithe Road	To include this part of the historic settlement
Horsey Road	Possible exclusion of 4no. 20 th c properties on east side	Of insufficient historic interest although forming later phase of development
East Somerton (GYBC)		
Manor Farm Road	Possible extension of boundary to include Manor Farmhouse and barns	To include this part of the historic settlement

Public consultation.

Consultation with interested parties and organisations was carried out in accordance with the Broads Authority 'Statement of Community Involvement'. A joint consultation exercise was undertaken with Great Yarmouth Borough Council as the proposed Conservation Area boundaries include land in both

planning authority areas as defined on the maps included in the character appraisals. A letter and leaflet were delivered to all residents living within the Conservation Area boundary, and copies of the appraisal documents were made available both online and in hard copy format in the Broads Authority offices and through the Parish Council. The leaflet included a comments section and consultees were also able to comment on line. The consultation included an open morning / afternoon in the village.

To be completed post consultation.

Appendix 1

Listed structures in the Conservation Area (grade II unless otherwise indicated)

Heronfield, Sandy Lane, West Somerton

Church of St Mary, West Somerton (II*)

Ruins of the Church of St Mary, East Somerton

Burnley Hall (II*), East Somerton

Stables at Burnley Hall, East Somerton

Garden Walls at Burnley Hall including Icehouse, East Somerton

Appendix 2

Broads Authority Guidance leaflets

- Keeping the Broads Special
- Do I need Planning Permission?
- How do I apply for Planning Permission?
- Building at the Waterside – A guide to design of waterside buildings in the Broads Authority area
- Environment and Landscape – How do I plan and manage trees and scrub alongside rivers?
- Development and Flood Risk in the Broads
- Riverbank Protection Works – A guide for riparian landowners
- Sustainability Guide – Sustainable development in the Broads

Appendix 3

Unlisted buildings that make a positive contribution to the character of the Conservation Area (within the Broads Authority Executive Area)

Whilst the following buildings, boundary walls and railings within the present Conservation Area and the proposed extensions to it do not merit full statutory protection, they are considered to be of local architectural or historic interest, and every effort should be made to maintain their contribution to the character of the Conservation Area.

West Somerton (BA Exec)

Sandy Lane

Holly Cottage

West View Cottage

Rectory Cottage, outbuildings and curved boundary wall

Staithe Farmhouse

Staithe Farm Barn

Cottage Road

Grange Cottage

Common Road

East View

Sparrow House

First Cottage

Horesy Road

Ivy House and outbuildings

Barn and outbuildings to Home Farm House

Deepwell Cottage and outbuildings

Tudor Cottage and outbuildings

The Staithe

Rivers End

Staithe Cottage

Free Staithe Cottage

Staithe House Farmhouse

Wherries End

Appendix 4

Buildings that contribute to the character of the Conservation Area (GYBC)

West Somerton

The Street (west side)

White House Farm, outbuildings and garden wall

Former barns and outbuildings to the west of White House Farm

Farriers

Thatched Cottage

The Two Cottages

East Side

The Gables,
Starlings Cottages (1 – 4) and outbuildings

East Somerton

West Lodge
East Lodge
Manor Farmhouse
Former barns and outbuildings to the west, north and east of Manor Farmhouse
Somerton Hall
The Lodge
Barns and outbuildings at Somerton Hall
Garden and boundary walls at Somerton Hall
Hall Farmhouse
Hall Farm Cottages

Appendix 5

Contact details and further information

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Sources and references

Whites Directory 1874 & 1845

Kelly's Directory of Cambridgeshire, Norfolk and Suffolk 1883

English Heritage: Guidance on Conservation Area appraisals, 2006

English Heritage: Guidance on the management of Conservation Areas, 2006

Understanding Place: Conservation Area designation, appraisal and management. English Heritage 2010

The Buildings of England, Norfolk 1: Norwich and North-East, Nikolaus Pevsner

The Norfolk Broads, A Landscape History, Tom Williamson

Landscape Character Assessment, Great Yarmouth Borough Council, 2008

Broads Landscape Character Assessment, 2006

Consultation Draft

Enforcement Update
Report by Head of Planning

Summary: This table shows the monthly updates on enforcement matters.

Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
5 December 2008	“Thorpe Island Marina” West Side of Thorpe Island Norwich (Former Jenners Basin)	Unauthorised development	<ul style="list-style-type: none"> • Enforcement Notices served 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 • Appeal lodged 6 December 2011 • Public Inquiry took place on 1 and 2 May 2012 • Decision received 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings • Challenge to decision filed in High Court 12 July 2012 • High Court date 26 June 2013

Committee Date	Location	Infringement	Action taken and current situation
21 August 2015			<ul style="list-style-type: none"> • Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed • “Consent Order “has been lodged with the Courts by Inspectorate • Appeal to be reconsidered (see appeals update for latest) • Planning Inspector’s site visit 28 January 2014 • Hearing held on 8 July 2014 • Awaiting decision from Inspector • Appeal allowed in part and dismissed in part. Inspector determined that the original planning permission had been abandoned, but granted planning permission for 25 vessels, subject to conditions (similar to previous decision above except in terms of vessel numbers) • Planning Contravention Notices issued to investigate outstanding breaches on site • Challenge to the Inspector’s Decision filed in the High Courts on 28 November 2014 (s288 challenge) • Acknowledgment of Service filed 16 December 2014. Court date awaited • Section 73 Application submitted to amend 19 of 20 conditions on the permission granted by the Inspectorate • Appeal submitted to PINS in respect of Section 73 Application for non-determination • Section 288 challenge submitted in February 2015 • Court date of 19 May 2015 • Awaiting High Court decision • Decision received on 6 August – case dismissed on all grounds and costs awarded against the appellant. Inspector’s decision upheld • Authority granted to seek a Planning Injunction subject to

Committee Date	Location	Infringement	Action taken and current situation
5 February 2016		<p>standing of a storage container</p> <p>Non compliance with Enforcement Notice re standing of a refrigerated container for storage, and unauthorised development of a portacabin, static caravan, signage and lighting.</p>	<ul style="list-style-type: none"> • Report taken to Planning Committee in February 2016 • Authority given to instigate prosecution proceedings re refrigerated trailer, suspended for three months to seek a resolution; and • Authority given to serve Enforcement Notices in respect of portacabin and static caravan; and • Negotiations to take place with the landlord and tenant landlord on other elements. • Meeting scheduled for March 2016
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should the enforcement notice not be complied with • Planning Contravention Notice served • Negotiations underway • Planning Application received • Planning permission granted 12 March 2015. Operator given six months for compliance • Additional period of compliance extended to end of December 2015 • Compliance not achieved. Negotiations underway
5 December 2014	Staithe N Willow	Unauthorised erection of	<ul style="list-style-type: none"> • Compromise solution to seek compliance acceptable subject to the removal of the 2 metre high fence by 31

Committee Date	Location	Infringement	Action taken and current situation
8 January 2016		fencing	<p>October 2015</p> <ul style="list-style-type: none"> • Site to be checked 1 November 2015 • Compliance not achieved. • Authority given for Enforcement Notice requiring the reduction in height to 1 metre, plus timber posts and gravel boards • Enforcement Notice issued 1 February 2016 • Compliance date 6 April 2016 • Appeal submitted against Enforcement Notice on grounds there has been no breach
9 October 2015	Grey's Ices and Confectionary, Norwich Road, Hoveton	Unauthorised erection of canopies and Alterations to Shop Front.	<ul style="list-style-type: none"> • Authority given for the issuing of an Enforcement Notice seeking removal of the canopies and alterations and authority given for prosecution, in consultation with the Solicitor in the event that the Enforcement Notice is not complied with • Negotiations underway • Enforcement Notice Issued on 5 January 2016 • Compliance date 11 March 2016 • Partial compliance achieved
4 December 2015	Hall Common Farm, Hall Common, Ludham	Breach of conditions 2&3 of pp BA/2014/0408/C OND Unauthorised installation of metal roller shutter door	<ul style="list-style-type: none"> • Authority given for issuing and Enforcement Notice and for prosecution (in consultation with the Solicitor) in the event that the enforcement notice is not complied with. • Period of 4 weeks given for landowner to consider position • Negotiations underway • Application for lattice work door as mitigation submitted

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files

Author: Cally Smith
Date of report: 15 March 2016

Appendices: Nil

Appeals to the Secretary of State: Update and Annual Review
Report by Head of Planning and Administrative Officer

Summary:	This report sets out the current position regarding appeals against the Authority and provides an annual summary of the decisions received from the Secretary of State from April 2015.
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Recommendation:	That the report be noted.
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1 Introduction

- 1.1 The attached table at Appendix 1 shows an update of the current position on appeals to the Secretary of State against the Authority.
- 1.2 The attached schedule at Appendix 2 shows a summary of the decisions by the Secretary of State on appeals in the last year since April 2015.
- 1.3 Between 1 April 2015 and 31 March 2016 the Authority has received decisions on six appeals, two of which related to award for costs. The decisions concerned four appeals against refusal, three of which were decisions made by Officers under delegated powers, the fourth being a Committee decision. The table below provides a comparison with those decisions in 2014/15.

<u>2014/15</u>	<u>2015/2016</u>
Decisions: 8	Decisions: 6
Dismissed: 5	Allowed: 4
Allowed: 2	Dismissed – Award for Costs: 2
Part Allowed/Part Dismissed: 1	
Withdrawn (Award for costs to BA)	
Decisions outstanding: 1	

- 1.4 Members will note that, other than the costs appeals, all appeals in this period were allowed. This is disappointing, however, there is some context to two of the decisions which gives some explanation.
- 1.5 The first listed appeal, at 104 Lower Street, Horning, NR12 8PF, relates to a proposal which had been the subject of a previous appeal which had been dismissed. The Appellant had made some amendments to the proposal

following that first appeal decision; officers had not felt that they were sufficient to overcome the concerns but the Inspector disagreed and allowed the appeal. The development permitted is considerably better than the original proposal.

- 1.6 The fourth listed appeal, at River Barn, Church Lane, Surlingham, related to a refusal of planning permission on the grounds of lack of information. The applicant subsequently provided all the requested information in a resubmitted application, but chose also to submit an appeal, which was supported by this additional information.
- 1.7 There is also an additional appeal concerning the site of Jenner's Basin at Thorpe Island which was against the decision by the Planning Inspectorate and the details are contained within the Enforcement Schedule as it is **not** an appeal against the Broads Authority.

2 Financial Implications

- 2.1 There are no financial implications.

Background papers:	BA appeal and application files.
Author:	Cally Smith/ Sandra A Beckett
Date of report	March 2015
Broads Plan Objectives:	None
Appendices:	APPENDIX 1 – Schedule of Current Outstanding Appeals to the Secretary of State since APPENDIX 2 – Schedule of Appeals to the Secretary of State on which decisions have been made since April 2015.

**Schedule of Outstanding Appeals to the
Secretary of State**

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
19-11-15 25-2-16	App Ref BA/2015/0004/REF APP/E9505/W/15/3 137422 River Barn Church Lane Surlingham Norfolk Mr S Mitchell	Appeal against Refusal Use as existing with additional use in the commercial use of the site for holiday letting.	Delegated decision on 28 May 2015 Questionnaire sent by 26 November 2015 Statement of case submitted by 21 December 2015 Site visit 18 February 2016 Appeal Allowed
Appeal to be validated by Inspectorate	App Ref BA/2016/0001/ENF Staithe n Willow	Appeal against Enforcement Relating to fencing on grounds that there has been no breach of planning	Committee Decision 8 January 2016 Awaiting start date

BROADS AUTHORITY
Schedule of Decisions on Appeals to the Secretary of State since April 2015

Start and Decision Dates	Appeal Details	<u>Decision</u>
SD3-3-15 22 –7-15	<p>APP/E9505/W/15/3004216 BA/2014/0381/FUL BA/2015/0002/REF</p> <p>104 Lower Street, Horning, NR12 8PF</p> <p>Appeal against refusal Alteration of existing south west facing window and formation of a double doorway in place of double opening window and formation of access via external stairway to quay head decking area.</p> <p>Mr and Mrs Wright</p>	<p>Delegated Decision 17-2-14</p> <p>Appeal allowed 22-7-15</p>
SD28-05-15 24-9-15	<p>APP/E9505/W/15/301389 BA/2014/0281/COND BA/2015/0002/REF</p> <p>Pampas Lodge Holiday Park, The Street, Haddiscoe NR14 6AA</p> <p>Appeal against refusal Variation of Condition 6 of 1998/1645/CU to allow use of caravan pitch for year-round warden's accommodation</p> <p>Mr Colin Shirley</p> <p>APP/E9505/W/15/3013891 Costs application in relation to appeal</p>	<p>Delegated Decision 3 -12-14</p> <p>Appeal Allowed. 24-9-15</p> <p>Dismissed 24-9-15</p>
SD10-06-15 24-9-15		
SD 22-10-15 22-2-16	<p>APP/E9505/W/15/3132155 BA/2012/0056/FUL BA/2015/0003/REF</p> <p>Silver Dawn, Woodlands Way, Horning NR12 8JR</p> <p>Appeal against refusal Variation of Condition 3 of BA/2012/0056/FUL to amend approved roof material</p>	<p>Committee Decision 6 February 2015</p> <p>Appeal Allowed</p>

Dd 22-2-16	<p>Mr N Barrett</p> <p>Costs application in relation to appeal</p>	<p>22-2-16</p> <p>Dismissed</p>
<p>SD 19-11-15</p> <p>25-2-16</p>	<p>APP/E9505/W/15/3137422 BA/2015/0073/FUL BA/2015/0004/REF</p> <p>River Barn, Church Lane, Surlingham</p> <p>Appeal against Refusal Use as existing with additional use in the commercial use of the site for holiday letting</p> <p>Mr S Mitchell</p>	<p>Delegated decision on 28 May 2015</p> <p>Appeal Allowed</p>

Decisions made by Officers under Delegated Powers

Report by Director of Planning and Resources

**Broads Authority
Planning Committee**

01 April 2016

Agenda Item No. 14

Summary: This report sets out the delegated decisions made by officers on planning applications from 20 February 2016 to 18 March 2016
Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
Ashby, Herringfleet And Somerleyton PC BA/2016/0031/HOUSEH	Chimneys Brickfields Somerleyton Suffolk NR32 5QW	Mr Philip Goldfinch	Timber cladding and insulation to exterior walls, reframing windows and doors and new decking.	Approved Subject to Conditions
Beccles Town Council BA/2016/0038/HOUSEH	59 Northgate Beccles NR34 9AU	Mr Gledhill	Replace conservatory roof.	Approved Subject to Conditions
BA/2016/0055/FUL	Beccles Swimming Pool Puddingmoor Beccles Suffolk NR34 9PL	Mr Shaun Crowley	Install childrens play equipment in the south east corner, including safe surfacing and relocation of picnic tables.	Approved Subject to Conditions
Burgh Castle BA/2015/0368/FUL	Windale Back Lane Burgh Castle NR31 9QJ	Mr A. Cutajar	Conversion of detached out-building to short term holiday accommodation.	Refused
Geldeston Parish Council BA/2015/0409/HOUSEH	Dunburgh Wood Dunburgh Road Geldeston Norfolk NR34 0LL	Mr & Mrs Sexton	Single and two storey extensions and widening of entrance gate.	Approved Subject to Conditions
Horning Parish Council BA/2015/0421/HOUSEH	Cherry Tree Cottage 123 Lower Street Horning NR12 8PF	Mr Peter Gregory	Replacement boat shed and quay heading.	Approved Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Hoveton Parish Council BA/2015/0425/HOUSEH	Little Crabbetts Horning Road Hoveton Hoveton St John Norfolk NR12 8JW	Mr & Mrs John Reid	Proposed demolition of Detached Double Garage. Rear Two storey extension to House with roof dormers to front and side elevations. New detached open cart shed and Boat shed to front of the property. Alterations to the existing entrance gates.	Approved Subject to Conditions
Loddon Parish Council BA/2016/0015/FUL	The Staithe Car Park And Public Conveniences Bridge Street Loddon Norfolk NR14 6EZ	Mr Andy Sheppard	Creation of disabled WC and separate pay to use shower room. Installation of 2 additional external doors to side elevations, Installation of 2 Velux sun tubes to rear roof slope. Update to building signage	Approved Subject to Conditions
Mettingham BA/2015/0397/HOUSEH	Marsh View Low Road Mettingham NR35 1TS	Mr Jon Fuller	Single storey rear annexe extension.	Approved Section 106
Repps With Bastwick Parish Council BA/2016/0002/FUL	Wind Energy Museum Marsh Road Repps Repps With Bastwick NR29 5JU	Mrs Debra Nicholson	The development is for the installation of a fully disabled Eco-Toilet.	Approved Subject to Conditions
BA/2016/0014/FUL	Hall Farm Staithe Road Repps With Bastwick Norfolk NR29 5JU	L J & J L Mitchell	Erection of a livestock unit with associated feed bin and hardstanding.	Approved Subject to Conditions
Rollesby Parish Council BA/2016/0010/HOUSEH	Lancelot House Court Road Rollesby Norfolk NR29 5ET	Mr Richard Guyton	New barn.	Approved Subject to Conditions
Stokesby With Herringby PC BA/2016/0050/LBC	Braid Barn Hall Farm Stokesby With Herringby Norfolk NR29 3EP	Mr P Desborough	Proposed Greenhouse and attached Garden Store.	Approved Section 106

Application	Site	Applicant	Proposal	Decision
BA/2016/0042/HOUSEH	Braid Barn Hall Farm Runham Road Stokesby With Herringby Norfolk NR29 3EP	Mr P Desborough	Proposed Greenhouse and attached Garden Store.	Approved Section 106