

Broads Authority
Planning Committee

Minutes of the meeting held on 26 May 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Prof J Burgess
Mr W Dickson

Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms N Beal – Planning Policy Officer
Mr B Hogg – Historic Environment Manager
Ms A Long – Director of Planning and Resources
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

BA/2017/065/CUHall Farm, Staithe Road, Repps with Bastwick

Mr Sam Mitchell The Applicant

12/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. Apologies were received from Mr P Rice and Ms Gail Harris.

12/2 Declarations of Interest

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

12/3 Chairman's Announcements and Introduction to Public Speaking

The Chairman reported on the following:

(1) The Openness of Local Government Bodies Regulations

The Chairman gave notice that the Authority would be recording this meeting following the decision by the full Authority on 27 January to record all its public meetings on a trial basis. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would be as a matter of record. If a member of

the public wished to have access to the recording they should contact the Monitoring Officer.

- (2) **Introduction to 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. (This did not apply to Enforcement Matters.)
- (3) **Planning Design Tour- 16 June 2017** All members were requested to confirm whether or not they would be able to attend. Further details with a programme would be sent out nearer the event.

12/4 Minutes: 28 April 2017

The minutes of the meeting held on 28 April 2017 were agreed as a correct record and signed by the Chairman.

12/5 Points of Information Arising from the Minutes

There were no further points of information to report.

12/6 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

12/7 Requests to Defer Applications and /or Vary the Order of the Agenda

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

12/8 Applications for Planning Permission

The Committee considered the following application 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 decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

- (1) **BA/2017/065/FUL Hall Farm, Staithe Road, Repps with Bastwick**
Poultry unit with egg store, packaging room and welfare facilities
Applicant: Mr Sam Mitchell

The Head of Planning explained that no objections had been received but the proposal was before the Committee as it was a major application. She provided a detailed presentation of the application

proposing the development of a free-range egg producing unit as part of a farm diversification scheme. This involved the erection of a unit to accommodate 32,000 birds with associated egg store, packaging room, office and welfare facilities. The building would open on to a roaming area of 16 hectares (not 17 hectares as stated in the report), which would conform to the minimum requirement. The building would be orientated in order to minimise its presence within the landscape particularly from the views from various public vantage points. The application also included a comprehensive landscaping scheme of indigenous planting that would result in planting along site boundaries, around the proposed unit and as copses within the site. No further comments had been received since the report had been written.

Having provided a detailed assessment having regard to the main issues of the principle, landscape impacts weighed against the in principle support deriving from the economic benefits, design and amenity, waste disposal, ecology and impact on the highway network, the Head of Planning concluded that there would be no significant adverse effects on the special quality of the area in landscape or neighbourhood amenity terms and the benefit to the rural economy was to be welcomed. Any neighbourhood amenity aspects could be dealt with by way of a Management plan to be submitted and agreed to ensure the operation complied with good practice. Therefore, the Head of Planning recommended approval as the application was in accordance with NPPF and local planning policies.

Mr Mitchell, the applicant was able to provide assurances in response to members' questions concerning the management of the enterprise particularly in relation to disposal of waste and risks from pollution. The solar panels would face south and would not provide glare from the river view. He also confirmed that there would be traffic movements with two collections of the eggs per day plus traffic dealing with the removal of waste, but these would not be significantly more than previously since the farm was no longer producing potatoes and had reduced its sugar beet quota, both of which generated traffic movements.

Members noted that the site had the benefit of planning permission for a pig unit although this as yet, had not been built and therefore they wished to have clarification that if permission was granted for the egg production unit, the permission for the pig unit would not be implemented in order to protect the interests of the area. The applicant commented that there was no intention of implementing the permission for the pig unit since chickens and pigs were not compatible and he would willingly comply with however the Authority decided to deal with the extant permission.

Members considered that the proposals had been well thought out and were acceptable subject to the applicant undertaking to only implement one permission ie for the egg production unit. They requested that the

Solicitor provide advice on the most straightforward way of dealing with the extant permission.

The Chairman put the officer's recommendation to the vote and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report and for the applicant to undertake implementing only one permission by means to be determined after consultation with the Solicitor. The proposed development is considered to be acceptable in respect of Planning Policy and in particular in accordance with Policies DP1, DP2, DP3, DP4, DP7, DP11, DP18, DP19 and DP28 and the NPPF.

12/9 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. The Head of Planning provided further information on the following together with photographs to illustrate where compliance was being achieved:

Thorpe Island: (Western end formerly known as Jenners Basin) The site was in the process of being cleared in compliance with the enforcement notices and the Injunction. Two boats remained in the basin but the owners had now signed these over to the new landowners and the boats were in the process of being disposed of. The quayheading was being removed and the bank was to be re-profiled. It was understood that the landowners intended to remove the remaining two sunken vessels, in order to comply with the requirement of the Injunction. A meeting was due to take place with officers, including the Authority's ecologist, and the landowners within the next two weeks. It was noted that Policy TSA2 (Thorpe Island) had been amended in accordance with the Planning Inspector's decision. The costs awarded to the authority by the courts had been received following the sale of the site.

Members welcomed the successful progress made after such a considerable time.

Staithe N Willow: Unauthorised erection of fencing. Members noted the visual improvements that had been made in lowering the height of the majority of the fencing and that the advice from the Authority had been taken. Although the result was not fully in accordance with the enforcement notice, Members were reluctantly satisfied that no further action should be taken.

Marina Quays Great Yarmouth: Section 215 Notice Untidy land and buildings. Members welcomed the considerable efforts that had been made by the owners to tidy up the buildings through the removal of the graffiti, replacement of cladding and painting. There were still some further details for improvement although it was recognised that the site was a magnet for and vulnerable to vandalism. The site was allocated for some redevelopment

although the use would need to reflect the flood risk nature of the site. Officers had been in discussions with the owners over the last year. Members wished to thank Great Yarmouth Borough for their advice and collaboration on this matter and were satisfied with the progress. They agreed that officers should continue to encourage the owner to make the necessary outstanding repairs and requested that monitoring of the site be continued.

RESOLVED

that the Enforcement Update report be noted.

12/10 Broads Local Plan: Preferred Options

The Committee received a report introducing the latest topics to inform the publication version of the Local Plan set out as the May 2017 Bite Size pieces.

These included:

- Appendix A: Preferred Options – responses including Comments on those responses
- Appendix B: Local Green Space – revised topic paper
- Appendix C: SFRA position statement
- Appendix D: Flood Risk – revised policy
- Appendix E: Surface water – revised policy
- Appendix F: Spinnakers St Olaves – revised policy
- Appendix G: TSA2 Thorpe Island, Thorpe St Andrew– revised policy
- Appendix H: Hoveton Town Centre Policy
- Appendix I: Thunder Lane, Thorps St Andrew site assessment
- Appendix J: Stokesby site assessment

Members gave detailed attention to the reports. Members gave particular attention to the comments received under Appendix A and endorsed the responses. It was noted that the Authority's consultation process went beyond those required by the regulations and therefore members were satisfied that suitable efforts were being made to constructively engage with communities and there was sufficient liaison with the neighbouring local authorities. It was noted that many of the comments received as indicated, would be taken into account when revising the policies and this was endorsed.

Members noted that with regard to the SFRA there was a gap as the BESL model was in the process of being revised and would not be available until 2019. However, this did not prohibit the progression of the Local Plan as the

Environment Agency had contributed to the position statement and the Flood risk section took on board the Supplementary Planning Document (SPD).

With reference to Appendix G Policy TSA2 Thorpe Island, it was noted that the policy had been amended to reflect the various decisions by the Planning Inspectorate. It was intended to have a follow-up focussed consultation with stakeholders. Members were satisfied with the approach being taken.

With reference to Appendix I, Thunder Lane, this was an open space at present with a green infrastructure function, very accessible on the edge of Norwich but effectively in a flood plain. Members gave careful consideration to the assessment which had focussed on consultation with various stakeholders. The Planning Policy Officer reported on the additional points which the landowner's agent had requested be drawn to the attention of the Committee. These were that the site was capable of development which would be designed appropriately for the Conservation Area and the Broads, retaining the views of the landscape and minimising impact and would help to meet housing needs. There were sufficient public transport facilities and additional parking could be provided. However, members considered that these matters had been addressed and well covered in the assessment and did not alter the overall conclusion provided by officers which they endorsed.

Appendix J Tiedam, Stokesby site assessment. Members supported the recommendation that the site be allocated for residential development and endorsed the Draft Policy.

Members noted that the documents would not necessarily be the final text or approach, but were part of the development of that text. There could be other considerations that came to light between now and the final version to be presented to the Planning Committee.

RESOLVED

that the comments and responses in Appendix A and the proposed revised policies within the May Bite Size Pieces (Appendices B to J) for the Broads Local Plan be endorsed.

12/11 Wroxham Neighbourhood Plan - Designating Wroxham as a Neighbourhood Area

The Committee received a report on the proposal to designate Wroxham as a Neighbourhood Area for the purposes of a Neighbourhood Plan. The nomination was received on 5 May 2017 and there were no known or obvious reasons to not agree the Neighbourhood Area.

Members endorsed the proposal but suggested that those developing the Neighbourhood Plan should work closely with the residents of Hoveton.

RESOLVED

that Wroxham be designated as a Neighbourhood Area in order to produce a Neighbourhood Plan.

12/12 Appeals: Response to Design Issues raised on Appeal

The Committee received a report and presentation which provided a review of three recent planning appeal decisions where the issues of design, particularly relating to the use of upvc for windows and cladding, and roller shutter doors had been highlighted. It was noted that the Authority had previously had success on such appeals and therefore the most recent decisions by the Planning Inspectors were disappointing.

Members recognised and emphasized that the aim of the Authority's policies was to promote the use of traditional materials where possible and in particular to achieve a high standard of design. It was recognised that the use of upvc was popular because it was readily available and was beneficial to applicants in cost terms. However, the material was not without its problems and members considered it would be useful to have a life cycle analysis and discuss the matter with the industry. Members recognised that there was a variety of standards of upvc and technology was constantly enabling improvements to be made. There were also good and bad examples in all materials, although at present traditional materials were hard to replicate in upvc. One main issue was around sustainability in a protected landscape.

Members agreed that it was important to consider the local context of any proposed development. In Conservation Areas and for Listed Buildings the use of traditional materials should always be advocated. Where sites and developments were open and/or iconic, or of a large scale the use of traditional materials may be more significant but there may be occasions when the Authority need not be too prescriptive. What was considered important was to assess the design of the upvc where proposed in terms of its colour and texture and overall visual quality whilst taking account of the location as well as the scale of the development. The use of upvc for cladding was considered to be more of an issue than its use for windows. Detailed design advice guidance might be useful both in making this assessment and clarifying the position for agents and applicants. It would be useful if guidance could include detailed life cycle analysis.

Members concluded that there did not need to be a change in the Authority's policies but care taken in their interpretation, always bearing in mind the aim of achieving high standards of design in a designated area. Members also considered that the policies in relation to roller shutter doors be considered in the same vein as for the use of upvc taking account of location, context, materials, practicalities and quality.

RESOLVED

that the report and presentation be noted and that the Authority take a pragmatic approach in interpreting policies but always aim to achieve a high standard of design in a protected area.

12/13 Appeals to Secretary of State

The Committee received a report on the current appeals against the Authority's decisions since January 2017. It was noted that start dates had been received for appeals relating to:

- BA/2016/0343/FUL The Workshop at Ludham – 18 May 2017 Appeal against refusal for change of use of outbuilding to residential dwelling.
- BA/2015//0026/UNAUP2 Burghwood Barnes, Ormesby St Michael – 22 May 2017, Appeal against enforcement for unauthorised development of agricultural land as residential curtilage.

An additional appeal had been received concerning BA/2017/0060/CU Eagles Nest, Horning – appeal against refusal for Change of use of first floor of boathouse to residential manager's accommodation (Class C3) associated with the adjacent King Line Cottages.

RESOLVED

that the report be noted.

12/14 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 18 April 2017 to 11 May 2017. It was noted that two applications for reroofing a boathouse in Ranworth and alterations to a previous permission at a property in Beech road Wroxham had come about as a result of the Authority's monitoring programme.

RESOLVED

that the report be noted.

12/15 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 23 June 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.40 pm.

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 26 May 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Bill Dickson	-	-
Haydn Thirtle	12/10	Broads Local Plan APPENDIX I Land at Stokesby Assessment. (<i>Great Yarmouth Borough Councillor and Norfolk County Councillor for the Area</i>)
Vic Thomson	12/10	Broads Local Plan May Bite Size pieces – Chedgrave (<i>South Norfolk and Norfolk County Councillor for the area</i>)