

Planning Committee

Agenda 14 October 2022

10.00am

Yare House, 62-64 Thorpe Road, Norwich, NR1 1RY

John Packman, Chief Executive – Friday 07 October 2022

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Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 21 September 2022** (Page 3)
4. To note whether any items have been proposed as matters of urgent business

Matters for decision

5. Chairman's announcements and introduction to public speaking
Please note that public speaking is in operation in accordance with the Authority's [Code of Practice for members of the Planning Committee and officers](#).
6. Request to defer applications include in this agenda and/or vary the order of the agenda
7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
 - 7.1. **BA/2022/0258/FUL & BA/2022/0257/LBC – 1, 2 & 3 Barn Mead, Coltishall** (Pages 4-19)
 - 7.2. **BA/2022/0239/HOUSEH - Freshfields, Priory Road, St Olaves** (Pages 20-25)

Enforcement

8. **Enforcement update** (Pages 26-31)
Report by Head of Planning

Policy

9. **Oulton Neighbourhood Plan – proceeding to referendum** (Pages 32-34)
Report by Planning Policy Officer
10. **Updated National Flood Risk Guidance and our Flood Risk SPD** (Pages 35-38)
Report by Planning Policy Officer
11. **Consultation responses** (Pages 39-42)
Report by Planning Policy Officer

Matters for information

12. **Appeals to the Secretary of State update** (Pages 43-47)
Report by Senior Planning Officer
13. **Decisions made by Officers under delegated powers** (Pages 48-52)
Report by Senior Planning Officer
14. **To note the date of the next meeting – Friday 11 November 2022 at 10.00am at Yare House, 62/64 Thorpe Road, Norwich**

Planning Committee

Minutes of the meeting held on 21 September 2022

The draft minutes will be available to view on [Planning Committee - 14 October 2022 \(broads-authority.gov.uk\)](https://broads-authority.gov.uk/Planning-Committee-14-October-2022)

Planning Committee

14 October 2022

Agenda item number 7.1

BA/2022/0258/FUL and BA/2022/0257/LBC.

Numbers 1, 2 & 3 Barn Mead Cottages, Coltishall

Report by Senior Planning Officer

Proposal

Alterations & extensions to 1, 2 & 3 Barn Mead Cottages to create a new Spa Treatment Centre.

Applicant

Mr James Holiday

Recommendation

Approve subject to conditions.

Reason for referral to committee

The application has been called in by a member of the Authority. In addition, material considerations of significant weight have been raised in representations.

Application target date

20 September 2022

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1. Description of site and proposals

- 1.1. The application site is within the grounds of the Norfolk Mead Hotel, which is situated between the River Bure to the south and the village of Coltishall to the north. The Norfolk Mead site comprises the Norfolk Mead Hotel, a Grade II listed building originally constructed in 1740, within grounds which extend to approximately eight acres including a manager's cottage, a terrace of cottages and a function room constructed within the walled garden. As well as offering accommodation, the hotel has a restaurant and bar open to the public and 2 treatment rooms which are located in buildings to the south of the main complex.
- 1.2. The Norfolk Mead Hotel is accessed via Church Loke, which is a private road off Church Street, Coltishall and which gives access only to the hotel, a barn used for storage (B8) use, 2 residential properties and land to the rear of the church.
- 1.3. The site is within the Coltishall Conservation Area. Whilst the main hotel and a number of the outbuildings are covered by the listing, the buildings which are the subject of this application are not. Due to their appearance, construction and relationship with the listed building, however, they are considered to be a non-designated heritage asset.
- 1.4. The subject of these applications is the terrace of cottages known as 1, 2 & 3 Barn Mead. There is a further cottage as part of the terrace – number 4 – but this does not form part of the application site. These cottages form a large barn style building with a thatched roof adjacent to the manager's cottage to the north-east of the main hotel building. There are some modern additions including a conservatory at number 1.
- 1.5. The proposal seeks to change the use of and extend these cottages to expand the existing spa facilities at the hotel. The spa facilities, like the restaurant and bar, would be used by both staying guests and day visitors. A Listed Building Consent (LBC) application runs alongside the planning application.

1.6. The proposal seeks the removal of an existing conservatory and other relatively minor domestic additions to the property, and proposes a single-storey south-facing extension (approx. 4.5m by 9m), in line with the main southern elevation of the existing two-storey barn structure, and a larger single-storey extension to the north-facing elevation of the property (approx. 15m by 4m). The materials proposed are red brick, larch cladding, aluminium windows and flat roofs. The new facilities proposed include a 6m by 8m hydrotherapy pool jacuzzi, sauna, four treatment rooms, relaxation room, office, beer spa and reception and eating area. One residential unit (used in association with the hotel) will be retained.

2. Site history

- BA/2005/3781/HISTAP - Detached cabin for staff accommodation (retrospective). Granted with conditions, December 2005.
- BA/2013/0096/FUL - Proposed New Function Room & Service Block within walled garden and new openings to provide access from existing car park. Granted with conditions, July 2013.
- BA/2013/0109/LBC - Erection of a function room and service block within walled garden with formation of new openings with East wall of garden to provide access to car park. Granted with conditions, July 2013.
- BA/2013/0273/NONMAT - Non material amendment on pp BA/2013/0096/FUL to reduce the footprint of the building. Approved, October 2013.
- BA/2013/0295/LBC - Proposed erection of a function room and service block within walled garden with formation of new openings within East wall of garden to provide access to car park. Granted with conditions, October 2013.
- BA/2014/0043/NONMAT - Non-material amendment to PP BA/2013/0096/FUL - additional window added to the office within service block. Granted with conditions, March 2014.
- BA/2014/0068/FUL - Proposed single storey extension off existing kitchen. Granted with conditions, April 2014.
- BA/2014/0096/LBC - Proposed single storey extension off existing kitchen. Granted with conditions, April 2014.
- BA/2015/0198/FUL - Single storey extension and erection of 2 No. chalet style guest bedroom suites. Granted with conditions, August 2015.
- BA/2015/0199/LBC - Single storey extension and erection of 2 No. chalet style guest bedroom suites. Granted with conditions, August 2015.
- BA/2015/0278/FUL - Replacement chalet and sheds. Granted with conditions, November 2015.

- BA/2015/0334/LBC - Replacement chalet and sheds. Granted with conditions, November 2015.
- BA/2015/0394/LBC - Alterations to windows and replace boundary wall with fence (amendments to BA/2015/0199/LBC - Single storey extension and erection of 2 No. chalet style guest bedroom suites). Granted with conditions, February 2016.
- BA/2015/0396/NONMAT - Alterations to window and glazed screen material and replace existing wall between the new chalets. Non material amendment to pp BA/2015/0198/FUL. Approved, February 2016.
- BA/2016/0056/NONMAT - Alterations to door positions, non-material amendment to previous permission BA/2015/0278/FUL. Approved, April 2016.
- BA/2016/0057/LBC - Alterations to door position from west to south elevation. Granted with conditions, April 2016.
- BA/2016/0204/FUL - Installation of wastewater treatment system. Granted with conditions, July 2016.
- BA/2017/0032/CU - Change of use to class C1. Alterations to north and south elevations. Granted with conditions, March 2017.
- BA/2020/0007/FUL Erection of laundry building. Granted with conditions, March 2020.

3. Consultations received

Parish Council

- 3.1. Coltishall Parish Council strongly objects to the proposal to alter & extend 1, 2 & 3 Barn Mead Cottages to create a new Spa for the following reasons:

1. The new Spa will attract many more visitors and offer a 7 day a week facility. This will impact on Highways issues as the site is accessed via a single track from a busy main road through Coltishall Village. More traffic will be generated, the vehicular access will be more strained and this will impact on Highway safety.
2. The spa is likely to attract groups for celebratory events such as hen parties. The proposals suggest there will be a garden with jacuzzi for guests which will be near residents' gardens. This is likely to increase the noise disturbance to those residents, which is already an existing issue due to wedding parties that go on till at least midnight.
3. The site is on a flood plain. Therefore, this impacts on the physical infrastructure of the site and biodiversity opportunities. We are also concerned about the amount of waste a spa will produce and the impact this will have on the environment.

Norfolk County Council (NCC) Highways

- 3.2. Further to the Local Highways Authority (LHA)'s earlier response and further information provided by the applicant, I have now given due consideration to this application and my representation is as follows.

The Highway Authority have commented (on previous applications) with regard to the restrictions at the junction of Church Loke with Church Street/Wroxham Road but have not raised a formal objection on the basis of the level of traffic movements resulting from the proposed developments. However, clearly any further development, whether or not giving rise to a material increase in vehicle movements, does result in an overall cumulative effect, which I consider is now a material consideration in respect of this application and development of the application site.

The existing permitted uses of the site are a matter of fact and whilst I have noted the information in respect of the projected vehicular movements, in the absence of any empirical data, I have no reason to dispute the figures given, although clearly the use of the spa by non-residents could be higher than indicated, but some allowance has been given in that respect. However, notwithstanding that I am, of the opinion that the development, if approved, will give rise to an increase in vehicle movements, and given the location and nature of the development the site is highly reliant on access by motor vehicles.

In acknowledging, that the increase in vehicle movements, may not be significant, as previously stated the cumulative effect of those additional traffic movements is a consideration and I am minded that Paragraph 110 (b) of the National Planning Policy Framework outlines that *“safe and suitable access to the site can be achieved for all users”*.

The Highway Authority can only comment in relation to matters relating to the public highway, and whilst acknowledging Church Loke is of restricted width, it is a private access road/track outside of the jurisdiction of the Highway Authority, and private rights of access are a matter for the landowner. However, in terms of the immediate access of Church Loke with Church Street/Wroxham Road, which is public highway, I am minded of the Highway Authority's previous comments in that respect. It is noted that there has been recent cutting back of the vegetation to the west of the access which has provided an improvement to the visibility. However, the maintenance of the boundary hedge is outside of the control of the applicant, but the landowner should maintain the hedge to prevent it overgrowing the public highway and the Highway Authority do have powers to serve notice in that respect.

I am also minded vehicles speeds are constrained by the local speed limit and road environment, in that respect I do not consider I could sustain an objection on visibility grounds, in respect of the application at hand. The existing Church boundary wall and other boundary features do preclude vehicles approaching the junction from seeing vehicles approaching the access and the width of the access is restricted (around 3.8m in width). It is therefore likely that if two vehicles meet at the access one vehicle is may to have to reverse to allow the other to pass. This could result in vehicles reversing from the access onto the main carriageway – indeed I have noted there is comment in that respect from local residents. Given the proposals, if approved are likely to give rise

to an increase in vehicle movements and thereby the frequency at which vehicles may meet at the access, I consider that the access should be widened to mitigate in this respect. I accept that there are restrictions as to what can be accommodated, but there is scope to widen to the eastern side of the access to provide a minimum width of 4.3m, which would be sufficient for two cars to pass. Whilst this may reduce the footway area fronting the church, I do not consider it would have a material effect on pedestrian safety or access to the Church; the Church having sufficient curtilage for the congregation to meet, etc.

Accordingly, should your Authority be minded to approve this application I would recommend the following conditions and informative note be appended to any grant of permission.

SHC 33A Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works (widening to the junction of Church Loke with Church Street/Wroxham Road have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.

SHC 33B Prior to the first use of the development hereby permitted the off-site highway improvement works referred to in Part A of this condition shall be completed to the written satisfaction of the Local Planning Authority.

Reason: To ensure that the highway network is adequate to cater for the development proposed.

BDC Environmental Health Officer

- 3.3. Whilst there has been some historical action taken (5+years ago) we have no current ongoing issues with this premises.

BA Tree Officer

- 3.4. Given the fact that the site is not visible to general public I would suggest that the proposed works and associated tree/hedge removal are acceptable. That being with the proviso that a suitable landscape scheme is submitted, for approval by the BA, providing sufficient and suitable tree planting to compensate for the loss of these tree/hedges. If approved please condition full compliance with the submitted Arboricultural Impact Assessment, Protection Plan and Method Statement dated June 2022.

BA Historic Environment Manager

- 3.5. The main hotel building is grade II listed and there are a number of curtilage listed structures, including historic boundary walls and two former barns, both currently used as either hotel or residential accommodation. The site also sits within the Coltishall Conservation Area and contributes to its character.

The curtilage listed barn to the south is in good condition and has recently been re-thatched. However, the northern-most barn is in need of some repair and has been sub-divided in the 1980s into 4 residential units which are currently vacant or under-used. Internally, the only visible remnants of the historic building are some of the roof timbers and what would have been a large open space has been thoroughly sub-divided. It also has a modern extension at its eastern end, attached to which is a conservatory. The significance of this building primarily lies in its aesthetic value and the group value of the collection of historic buildings and structures on the site. As a group (and individually) they contribute to the character and appearance of the conservation area. The barn also has some evidential and historic value, as a remnant of the former industrial use of the site and in this respect, it continues to reflect this aspect of the village's history.

The proposal is to convert this barn into a spa with a relatively large single storey extension. The design of the extension would be consistent with the successful design of the recently built wedding venue within the walled garden and other recent development at the site. This is recognised as being of a high-quality design and a continuation of this design approach is to be welcomed.

In principle, I have no objection to the proposal. It could see the historic barn brought back into full use and should ensure the ongoing repair and maintenance of this building. The proposal also provides the opportunity for improvements to more recent and less successful alterations to the building (e.g. the removal of the conservatory and alterations to the single storey lean-to along the northern elevation). The proposal will mean that the barn is once again read as a single unit, albeit still sub-divided, and this will be an improvement.

The contemporary design of the extension should work well and is simple, low-level and recessive, making use of traditional red brick, flint and timber-cladding along with more contemporary design elements, such as large glazed areas. There will be only glimpsed views of the most contemporary element from the northern approach along the drive, due to the proposed brick and flint wall, willow fencing and planting, with views from the main car park to the east of the hotel further limited by the single storey extension directly to the east of the barn, which will be 'read' as a brick boundary wall.

The historic wall which runs north of the barn (also a curtilage listed structure) will be retained, albeit with an opening made in it. It is clear from historic maps and evidence on site that historically there was a lean-to structure built up against its west side and so this will partially re-instate that arrangement. The historic wall finish will be retained in all areas except the changing rooms and this should contribute to the internal character of the spaces and allow the historic form of the site to be understood.

However, there are a couple of areas where more detail will be required or where I have some concern:

- The historic buildings on the site all have white joinery contrasting with red brickwork and this is characteristic of the buildings (although it is noted that some of the windows – primarily on the north elevation of Barn Mead are modern stained timber windows). It is proposed that the windows on the barn be replaced with grey aluminium windows. To ensure that the group value of the historic buildings is not eroded I would suggest that the colour of the window frames in any new windows in

the barn should be white. I appreciate that an argument could be made for consistency across the new and historic elements of the 'spa building' but given that the contemporary extensions are clearly separate modern elements, I don't think that a change in finish will be detrimental to the overall design.

- It is noted that on the proposed plans the principal trusses of the existing roof structure will be retained with modifications to ensure suitable head height. Details of these modifications will need to be provided.
- As stated above, it is proposed that the extension will be built against both sides of the historic brick and flint wall that runs north-south from the barn. Given the curtilage listed status of this wall, please can details of exactly which areas will be left exposed and any repairs required to the wall be provided. It is noted that it is proposed to increase the height of the wall and provide a new stone coping. At present it has a very simple coping which should be retained / re-used or replicated. Details of the coping and the new bricks will need to be conditioned.
- New brick or brick and flint walls are proposed at the north and south of the extensions. Details of the materials, including a sample panel of the flint work, mortar mix, brick bond and brick type should be conditioned. It may be that a brick-on edge coping is more appropriate here than a stone coping.
- Further details of the structure containing the sauna and hot tub are required.
- The eastern gable end of the barn is of flint construction and again, where possible, this should be left exposed internally within the extension/ barn.
- A small extract is shown for the cooker hood in the new kitchen. Will this be adequate? A commercial kitchen extract could obviously have a much greater impact on the appearance of the building.
- On the flat roof of the proposed swimming pool extension PV panels are proposed. Please could exact details be provided/conditioned, in particular the exact number, details of the support structure and the maximum height that they will protrude above roof level.
- Likewise, a raised area of housing for the extract system is proposed. This is set well back from the front elevation of the extension and so is unlikely to be particularly visible from ground level. However, please can details of the cladding for this be provided please.
- It is noted that on drawing P104a, the cross-section of the lean-to on the west elevation of the north running wall shows the lean-to being clad in non-slip oak-effect composite decking. I think this is an error and that it should be larch cladding as shown on the other drawings?

4. Representations

4.1. Broads Authority Member (Cllr Nigel Brennan) – I request that the above application/s be 'called in' for consideration by Planning Committee for the following reasons, as provided to me by local residents:

- No apparent restrictions on hours of operation of possible expanded business leading to ever increasing nuisance to neighbouring properties
- No apparent request for 'change of use' of domestic dwellings to commercial use

- Usage already of what is supposed to be only a very occasional ‘over-flow’ car-park for the provision of EV charging-points on a daily basis immediately adjacent to neighbouring property
- Removal of ‘housing stock’. Retention of local ‘housing stock’ is potentially more important than conversion to commercial premises (some of which would be in direct competition with existing local business)
- Considerably increased daily and ‘late night’/‘early hours’ noise pollution for neighbouring properties
- Unsuitable ingress/egress on a ‘single track’ private road serving two additional properties for potential increased traffic movements to accommodate any future potential development
- No apparent ‘Highways’ report on visibility splay, and complimentary safety concerns, exiting Church Loke
- No reference to adequately ‘signing’ the public foot-path which crosses Church Loke into the church-yard with pedestrian traffic on East/West and/or West/East compass points, with or without children, and with or without dogs being walked both with reference to pedestrians, and more importantly motorised traffic
- Increased noise pollution to neighbouring properties from proposed pump to lift water from application site to Wroxham Road drainage connection point to mitigate ‘nutrient neutrality’
- Severe damage would be caused to numerous mature trees’ roots alongside Church Loke to facilitate trenching for the proposed drain along Church Loke which is a private road not wholly owned by ‘The Mead’ (no arboriculture report has been presented)
- No attempt has been made by the applicant to the other two ‘owners’ of Church Loke to agree the trenching of Church Loke

4.2. Representations of objection totalling six have been received from neighbouring properties. Summary of representations:

- Highway access concerns due to increased traffic.
- Additional noise and disturbance for neighbours.
- Parking concerns.
- Loss of dwellings.
- Water table concerns.
- Not enough information on the projected client group.

- Inappropriate development for the location.
 - Over development of the site.
 - Intensification of the use will degrade the Conservation Area.
- 4.3. Representations of support totalling 52 have been received. Summary of representations:
- A great asset to the area.
 - Will improve existing facilities.
 - Job creation.
 - Boost tourism.
 - Benefit the local community.

5. Policies

- 5.1. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).
- 5.2. The following policies were used in the determination of the application:
- DM5 – Development and Flood Risk
 - DM11 – Heritage Assets
 - DM12 – Reuse of historic buildings
 - DM13 - Natural Environment
 - DM16 – Development & Landscape
 - DM21 - Amenity
 - DM22 - Light pollution and dark skies
 - DM23 - Transport, highways and access
 - DM29 - Sustainable Tourism and Recreation Development
 - DM43 - Design
 - DM44 – Visitor and community facilities and services

6. Assessment

- 6.1. The key considerations in determining this application are the principle of development, impact on the listed building and Conservation Area, neighbouring amenity and highway implications.

Principle of development

- 6.2. In terms of the principle of the development, the proposal seeks permission to change the use of an existing building (currently divided into dwellings) and extend it to create a dedicated spa facility for the existing hotel in order to improve the offer for visitors. Whilst a spa is not typically thought of as a visitor or tourist facility, a good quality operation will attract customers and they will contribute to the visitor economy while

staying in the area. It is therefore considered that the tourism policies in the Local Plan for the Broads are relevant. These recognise the important role tourism plays in the economy of the Broads and seek to protect and promote appropriately located tourism development. As the spa facility would not necessarily only be for tourists, it is important to consider the expansion of the facilities at the hotel as an extension of existing employment use too.

- 6.3. Policy DM29 of the Local Plan for the Broads seeks to ensure that new tourism and recreational development is located where it is closely associated with an existing facility. As the site is already an operational hotel, the proposal complies with this element of the policy.
- 6.4. Policy DM29 goes on to require that development proposals can only be positively supported where there is sufficient capacity of the highway network, sufficient parking on site, where they do not adversely affect dark skies, the historic environment or protected species, where proposals are of a high-quality design and are of a scale compatible with their location and setting. All of these issues will be discussed in further details in the coming paragraphs but in summary, the proposal is considered to be in compliance with these criteria and the principle of the development in accordance with Policy DM29 is therefore acceptable.
- 6.5. Policy DM25 relates to the extension of existing premises used for employment uses. Although the spa facility proposed is not a separate Class E use as it would be linked to the hotel, the proposal does seek to create additional employment of approximately 11 FTE positions and the considerations of Policy DM25 are considered to be relevant. Similar to Policy DM29, it requires the site to be located within an existing employment site and requires that proposals do not have an adverse impact on landscape character, the historic environment or biodiversity. The policy also requires that the use does not affect amenity in terms of noise and disturbance and pollution and that there is suitable parking available. Again, the highway network is required to be capable of accommodating the proposal and the site should be accessed by a variety of transport modes. All of these issues will be discussed in further details in the coming paragraphs but in summary, the proposal is considered to be in compliance with these criteria and the principle of the development in accordance with Policy DM25 is therefore acceptable.

Design and the impact upon the listed building and Conservation Area.

- 6.6. The site sits within the Coltishall Conservation Area and contributes to its overall character. The application site also lies within the curtilage of a Grade II Listed Building and, consequently, in addition to meeting the high standard of design required of all applications within Conservation Areas in the Broads, the proposal must have regards to the potential impacts on the setting of the Listed Building.
- 6.7. Planning policies and guidance at both national and local level recognise the importance of protecting designated heritage assets such as Listed Buildings. Policy

DM11 of the Local Plan for the Broads requires development to protect, preserve or enhance the significance and setting of heritage assets. The policy also requires developments affecting Conservation Areas to ensure that the area is preserved or enhanced. Policy DM12 of the Local Plan for the Broads only permits the re-use, conversion or change of use of a building which is a heritage asset – either designated or non-designated - subject to certain criteria. Criterion (a) requires that the building is capable of the changes without substantial harm or loss to the asset's significance. Criterion (b) requires a high level of design, retaining features that contribute positively to the character of the building. Criterion (c) requires the proposal to be achieved in a way that preserves the architectural features and character. Criterion (d) requires that the nature, scale and intensity of the proposed use are compatible with the surrounding uses of the locality. Criterion (e) requires that the proposal will not have an adverse impact on protected species.

- 6.8. The main hotel building is grade II listed and there are a number of curtilage listed structures to the north, including historic boundary walls and two former barns, both currently used as either hotel or residential accommodation. The curtilage listed barn to the south is in good condition and has recently been re-thatched. The barn, the subject of this application was subdivided in the 1980s into four residential units (these are currently vacant) and this building does require some repair. As a non-designated heritage asset, it is important to retain the building in a beneficial use and the applicant has identified an alternative use which will preserve the historic character of the building and support the hotel business. Internally, the only visible remnants of the historic building are some of the roof timbers and what would have been a large open space. The alterations to this space are considered acceptable in that the existing barn has already been subdivided and the original trusses altered. The proposals are considered to comply with criterion (a) and (c) of Policy DM12.
- 6.9. The existing building also has a modern extension at its eastern end, attached to which is a conservatory. The proposal to remove these modern elements is considered to enhance the character and appearance of the barns and is considered acceptable and in compliance with criterion (a), (b) and (c) of Policy DM12.
- 6.10. The contemporary design of the proposed new extension is simple, low-level and recessive, making use of traditional red brick, flint and timber-cladding along with more contemporary design elements, such as large glazed areas. Original elements of the flint wall will be retained and made into features. The use of the building as a spa facility and the inclusion of a relaxation room, treatment rooms and changing rooms is not considered to be incompatible with the existing use of the hotel and function room. This therefore complies with criterion (b), (c) and (d) of Policy DM12.
- 6.11. There will only be glimpsed views of the most contemporary element from the northern approach along the driveway, due to the proposed brick and flint wall, willow fencing and planting, with views from the main car park to the east of the hotel further limited by the single storey extension directly to the east of the barn, which will be

'read' as a brick boundary wall. The site is well screened by mature trees and so there will be no views from the wider vicinity. The proposals are therefore not considered to result in an adverse visual impact on the Coltishall Conservation Area and there is no conflict with Policy DM11 or DM12. In addition, the proposed materials and design are considered to be in accordance Policy DM43 of the Local Plan for the Broads 2019.

Amenity

- 6.12. The nearest residential properties are Meadside and Holly Lodge, located approximately 40m and 80m respectively to the east of Church Loke and the properties of Church Close located approximately 150m to the north-west. Given that the hotel is existing (and long established), and has been operating with rooms and a restaurant for many years, and with spa facilities in the main house and as a wedding venue in the function room in more recent years, it is difficult to conclude that the new spa facilities proposed will result in an adverse impact on the amenity of nearby residents, despite the increase in numbers. It is noted that there have been no noise issues raised in at least the last five years (see response from BDC Environmental Health Officer in section 3) and it is not considered that the spa guests, some of whom will be hotel residents, are likely to generate significant additional noise or disturbance.
- 6.13. The Environmental Health Officer at Broadland District Council has advised that there are no current noise related issues ongoing at the premises. The proposed spa facilities are proposed for use during daytime hours but if required, hours of use could be conditioned. The proposal is therefore considered to comply with Policy DM21 of the Broads Local Plan.

Highways and public rights of way

- 6.14. The Highways Authority initially asked for some additional information from the applicant with regards to numbers and their final comments were based on this information.
- 6.15. It is acknowledged that the access to Church Loke from Church Street is restricted and so it has been required by the LHA that some off-site highway improvement works are carried out by the applicant to create a wider access point at the junction. The Highways Authority have confirmed that the area in question does not appear to be registered and so where highway rights exist, the surface is vested to the Highway Authority and those rights take precedent over ownership. This would mean that the Highways Authority would carry out the works at the expense of the applicant and this would be secured via a planning condition. The applicant has confirmed he is content to agree to these works and so on this basis, the proposal is not considered to result in an adverse impact on highway safety and is in accordance with Policy DM23 of the Local Plan for the Broads 2019.
- 6.16. The site has existing parking and overflow parking areas and these are not proposed to be altered as part of this application.

Other issues

- 6.17. The part of the site covered by the proposal is within Flood Zone 1 and so there are no concerns with regards to flood risk. With regards to drainage, in 2016 planning permission was granted for the installation of a sewage treatment plant at the site. Any further works in regards to permission from all owners of The Loke is not a planning consideration. There is therefore no conflict with Policy DM5 of the Local Plan for the Broads 2019.
- 6.18. The proposal raises no concerns with regards to an adverse impact on biodiversity as the extensions to be lost are modern additions. There is no conflict with Policy DM13 of the Local Plan for the Broads 2019.
- 6.19. The site is located outside of Dark Skies Zone 1 and 2 where Policy DM22 requires good lighting management and design. It is considered appropriate to restrict external lighting by condition. The proposal is therefore in accordance with Policy DM22 of the Local Plan for the Broads 2019.

7. Conclusion

- 7.1 Based on the information submitted to support this application for the proposed extensions and change of use of Barn Cottages to a spa facility, the principle of development is in accordance with all relevant planning policy, in particular DM5, DM11, DM12, DM21, DM23, DM25 & DM43. This is an existing tourism and recreation destination that has existing spa facilities within the main house but proposes to move them to a dedicated facility immediately adjacent to the main building so that it is able to expand the facilities to increase its attraction to visitors to the Broads Area. The design of the proposals is considered to be acceptable and it is not considered that the proposal will result in an adverse impact on highway safety or neighbour amenity given the current levels of usage. Therefore, it is recommended that planning permission and Listed Building Consent are approved subject to conditions.

8. Recommendation

- 8.1. Approve the planning application subject to the following conditions:
- Time Limit
 - In accordance with submitted plans and documents.
 - Highways conditions regarding off site improvement works.
 - Material details required prior to their installation including flint work, mortar mix, brick bond and brick type, cladding details, coping details, truss modification details and window colour.
 - Prior to their installation details of the sauna and jacuzzi structure shall be submitted and agreed.

- Landscaping plan to show new planting.
- Hours of opening for the spa only.
- No external lighting.
- Spa use in association with the hotel only and not as an independent business.
- Removal of PD rights for the spa facility.

8.2 Approve the LBC application in accordance with the following conditions:

- Time Limit
- In accordance with submitted plans and documents.
- Material details required prior to their installation including flint work, mortar mix, brick bond and brick type, cladding details, coping details, truss modification details and window colour.

9. Reason for recommendation

9.1 Subject to the conditions outlined above, the application is considered to be in accordance with Policies DM11, DM12, DM21, DM22, DM23, DM25, DM29 and DM43 of the Local Plan for the Broads 2019.

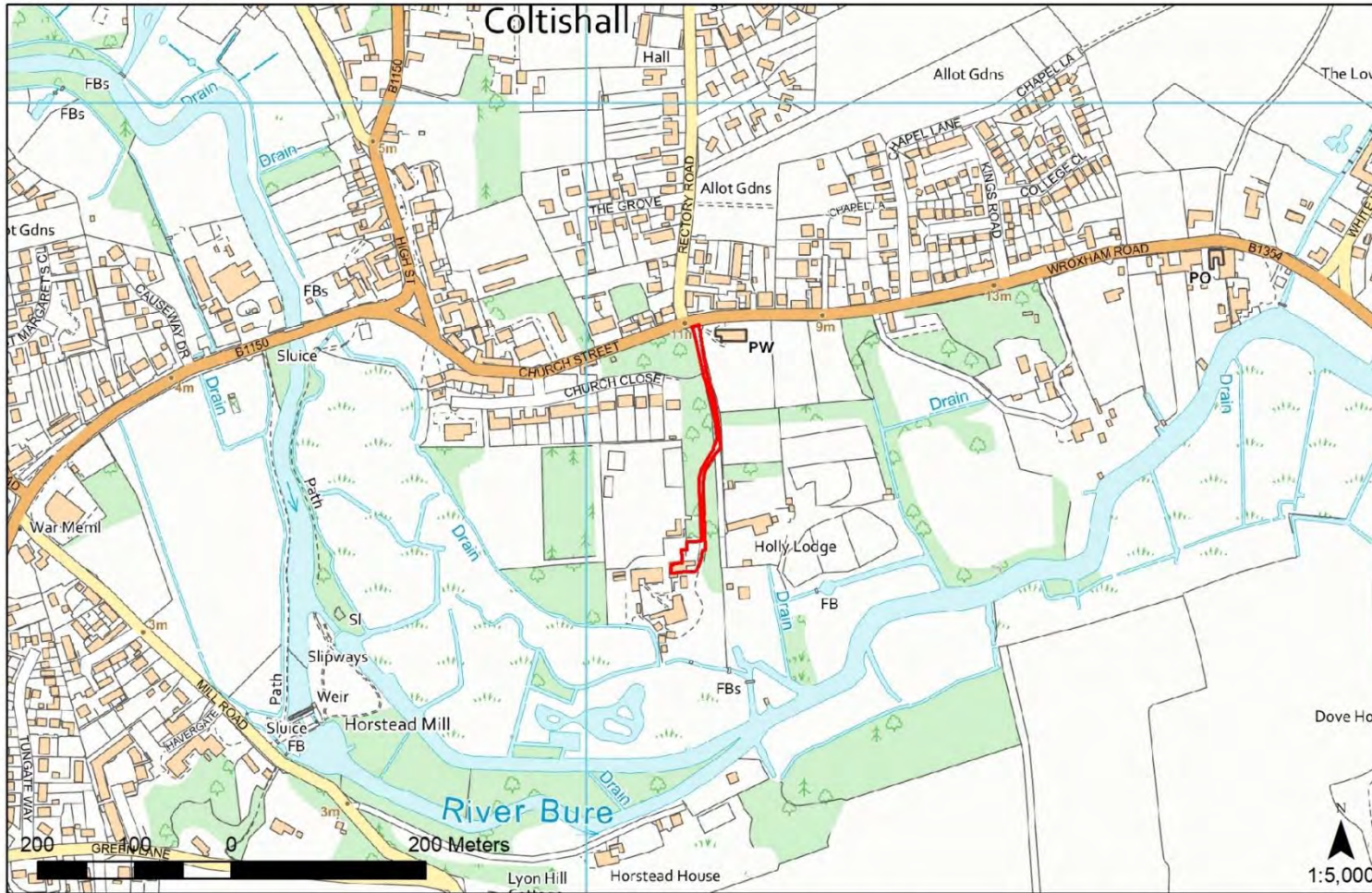
Author: Cheryl Peel

Date of report: 03 October 2022

Appendix 1 – Location map

Appendix 1 – Location map

BA/2022/0258/FUL



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Planning Committee

14 October 2022

Agenda item number 7.2

BA/2022/0239/HOUSEH-Freshfields, Priory Road, St Olaves

Report by Planning Assistant

Proposal

Conversion of garage into additional living space, alterations to rear sun room including upgrading of roof, new windows and doors, new windows arrangement to rear elevation and new double garage to front driveway.

Applicant

Mr Greg Munford

Recommendation

Approve – subject to conditions

Reason for referral to committee

The applicant is a member of the Broads Authority

Application target date

21st October 2022

Contents

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1. Description of site and proposals

- 1.1. The site subject of this application is situated on the western edge of the village of St Olaves which sits to the east of the River Waveney. The property fronts onto Priory Road, whilst the rear of the property overlooks the Haddiscoe Marshes, Haddiscoe Cut and the River Waveney. The residential property known as 'Burwin' is adjacent to the southern site boundary, with the northern site boundary adjoining an access lane leading to a number of properties situated close to the bank of the river. The property known as 'Broadvista' lies to the north of this access lane.
- 1.2. The boundary of the Broads Authority's Executive Area runs north-south along Priory Road, with the properties on the western side of the road falling within the Broads area and those on the eastern side covered by Great Yarmouth Borough Council.
- 1.3. The house which is the subject of this application sits in the middle of the site with the principal elevation running parallel to Priory Road. It is a two storey, 1980s property, constructed of red brick with a concrete tile roof and pale grey UPVC windows. Permission was granted in 2017 for external cladding and UPVC windows to the front elevation, and this work has been completed. An integral double garage is located in the northern corner of the property.
- 1.4. The applicant wishes to convert the double garage into living accommodation by replacing the garage doors with full height windows to match the existing grey Upvc. Planning permission is also being sought for a detached garage positioned to the front of the property and this is to be constructed in similar materials to the existing with cement fibre board to match the existing property, as well as a plain tile roof. It would measure 6.1m wide and 5.9m deep with a height of 4.8m. The garage door will also match the existing colour of the property's windows and doors. As well as the garage, it is also proposed to replace a glass roof over the existing rear extension with a built roof with velux windows and reorganise the windows on the rear elevation.

2. Site history

- 2.1. BA/2017/0193/HOUSEH - External cladding, replace garage doors with full height windows and replace windows on front elevation.

3. Consultations received

- 3.1. Parish Council – Fritton with St Olaves Parish Council would like to submit no objections subject to neighbour's comments for the above application.
- 3.2. Historic Environment Manager – I have no objection to the proposals which are in keeping with the character of the existing building and this residential area.

4. Representations

- 4.1. No representations received for the application.

5. Policies

- 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. The following policies were used in the determination of the application:

- DM21 – Amenity
- DM43 – Design

6. Assessment

- 6.1. In terms of the assessment of this application the main issues to be considered include the principle of the development, the impacts on neighbouring amenity and the design of the proposed development.
- 6.2. The applicant wishes to modernise and improve the appearance of the rear elevation of the building and convert the garage for additional living space. The additional garage will provide a safe space for vehicles, with materials and colours which will match that of the existing building. The principle of the modernisation and updating of the rear elevation of this house is acceptable, as is the new garage and the development is therefore considered to be acceptable.
- 6.3. In assessing the design of the proposed development, Policy DM43 states that all development will be expected to be of a high design quality and should integrate effectively with its surroundings, reinforce local distinctiveness and landscape character and preserve or enhance cultural heritage. The character of the residential development along Priory Road, particularly on the western side of the road, is typically two storey red brick dwellings constructed in the 1970s/ 1980s. The original timber joinery in many of the dwellings has been replaced by uPVC products, of varying quality. The houses on the eastern side of the road, outside the Broads Authority's area, are older brick-built houses with a mix of original timber sash windows and uPVC windows. The palette of materials visible along the road is red brick, of varying vintages, and render or painted brick. There is very little cladding present on any of the dwellings and what little there is, is timber. The house on the application site is typical of the development along the western side but has been modernised with cladding and Upvc windows.
- 6.4. The existing single storey rear portion of the property currently consists of all glass and is rather dated, in contrast to the modern appearance of the remainder of the property. Replacing the glass roof with a tiled roof to match the existing roof of the building will improve the rear elevation and continue the use of traditional materials which in this

case is plain tiles. With the removal of the glass roof, this will reduce the amount of light that enters this area so, to combat this, it is proposed to install two velux windows which will continue the bright feeling in this area. This is a modern form of roof light and fits in well with the overall style and modern aesthetic of the building.

- 6.5. The property has two full size garage doors which currently open up to an integral garage. It is proposed to replace these doors with full size windows and convert the garage into habitable space for the property. The garage is intended to be converted into a bedroom with an en-suite bathroom. Replacing the garage doors with full size windows is again a modern change and will allow the room to be bright and takes advantage of the space in this part of the elevation. There is no objection to this in design terms.
- 6.6. The proposed new garage will be positioned at the front of the property and connects to an existing driveway. The garage will have a pitched roof with plain tiles that will match the existing tiles on the building. The external cladding will be cement fibre board that will also match the existing cladding on the building, therefore providing visual continuity. The garage is large; however, the curtilage is of sufficient size to accommodate it without appearing over-developed. There will be space for two parked cars within the garage, which is the same number of spaces currently existing with the existing integral garages. There are many detached, standalone garages in the immediate area so there is a precedent that has been set and is a common feature along Priory Road.
- 6.7. Moving on to the neighbouring amenity, Policy DM21 states that all new development will be expected to provide the occupiers/users with a satisfactory level of amenity and will not be permitted if it would have an unacceptable impact on amenity of existing neighbouring properties. The proposed tiled roof on the rear elevation of the property will not have any detrimental impacts on the existing amenity of neighbouring properties. Part of the application is proposing to reorganise the windows on the first floor at the rear, with four smaller windows being replaced by two larger windows. This will not change the situation with regards to overlooking and is considered acceptable. In terms of the conversion of the existing garage, this will also not result in any negative impacts on amenity. Lastly the proposed detached garage is positioned against a large hedge that will shield the garage from the driveway to the north of the property as well as hiding the garage from public vantage points. From the east view, the garage is again partially hidden behind existing shrubs so there will be no impact on amenity.

7. Conclusion

- 7.1. Planning permission is being sought to modernise the rear elevation by changing the existing glass roof with a built tiled roof to match the existing building. It is also proposed to convert the existing garages which are integral to add additional accommodation. Due to the garage being converted, it is also proposed to construct a detached pitched roof garage as a replacement. The design of the proposals is

considered to be in accordance with Policy DM43 of the Local Plan for the Broads and as there will be no adverse impacts on the neighbouring properties, the proposals are in accordance with Policy DM21 of the Local Plan for the Broads. On this basis, it is considered that the application is acceptable.

8. Recommendation

8.1. Approve subject to the following conditions:

1. Three-year timeframe for commencement
2. In accordance with the approved plans and material details

9. Reason for recommendation

9.1. The proposed replacement of the glass roof with a tiled roof, reorganisation of the rear elevation windows, converting the garage to living accommodation and a detached garage is in accordance with NPPF guidance and Policy DM21 and Policy DM43 of the Local Plan for the Broads and is considered acceptable.

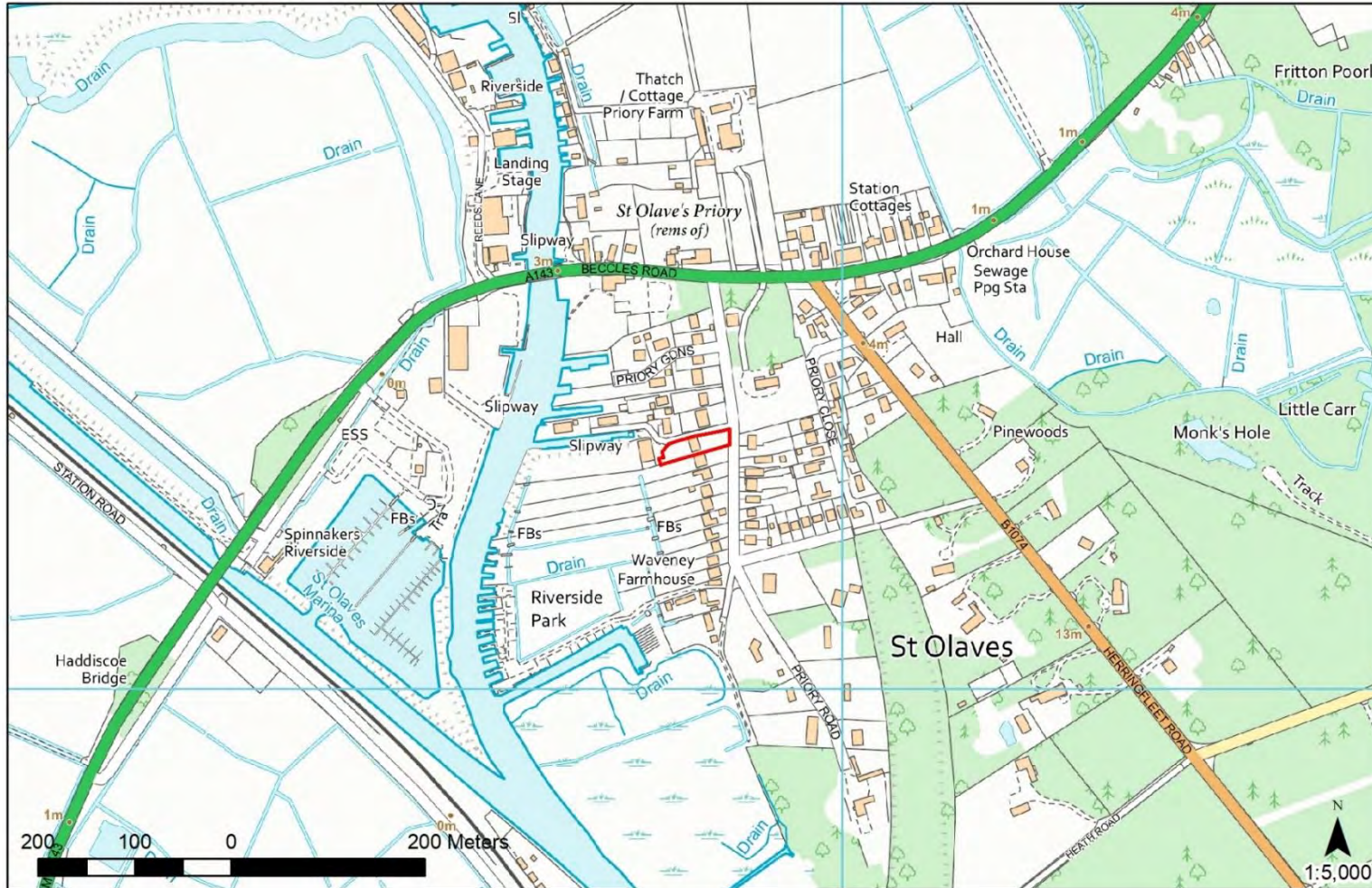
Author: Callum Sculfor

Date of report: 3 October 2022

Appendix 1 – Location map

Appendix 1 – Location map

BA/2022/0239/HOUSEH



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Planning Committee

14 October 2022

Agenda item number 8

Enforcement update

Report by Head of Planning

Summary

This table shows the monthly updates on enforcement matters. The financial implications of pursuing individual cases are reported on a site by site basis.

Recommendation

To note the report.

Committee date	Location	Infringement	Action taken and current situation
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored. October 2018 to February 2019. • Planning Contravention Notices served 1 March 2019. • Site being monitored 14 August 2019. • Further caravan on-site 16 September 2019.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Site being monitored 3 July 2020. • Complaints received. Site to be visited on 29 October 2020. • Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020. • Incomplete response to PCN received on 10 December. Landowner to be given additional response period. • Authority given to commence prosecution proceedings 5 February 2021. • Solicitor instructed 17 February 2021. • Hearing date in Norwich Magistrates Court 12 May 2021. • Summons issued 29 April 2021. • Adjournment requested by landowner on 4 May and refused by Court on 11 May. • Adjournment granted at Hearing on 12 May. • Revised Hearing date of 9 June 2021. • Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court. • Legal advice received in respect of new information. Prosecution withdrawn and new PCNs served on 7 September 2021. • Further information requested following scant PCN response and confirmation subsequently received that caravans 1 and 3 occupied on Assured Shorthold Tenancies. 27 October 2021 • Verbal update to be provided on 3 December 2021

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site. 6 Dec. 2021 • Site to be visited after 29 March to check compliance – 23 March 2022 • Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site. 11 April 2022 • PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied. • Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice. 27 May 2022 • Solicitor instructed to commence prosecution. 31 May 2022 • Prosecution in preparation. 12 July 2022
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers’ site.	<ul style="list-style-type: none"> • Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action. • Correspondence with solicitor on behalf of landowner 20 Nov. 2019. • Correspondence with planning agent 3 December 2019. • Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020. • Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020. • Appeal start date 17 August 2020. • Hearing scheduled 9 February 2021.

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Hearing cancelled. Rescheduled to 20 July 2021. • Hearing completed 20 July and Inspector’s decision awaited. • Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 Aug 21 • Retrospective application submitted on 6 December 2021. • Application turned away. 16 December 2021 • Site visited 7 March 2022. Of non-traveller caravans, 2 have been removed off site, and occupancy status unclear of 3 remaining so investigations underway. • Further retrospective application submitted and turned away. 17 March 2022 • Further information on occupation requested. 11 April 2022 • No further information received. 13 May 2022 • Site to be checked. 6 June 2022 • Site visited and 2 caravans occupied in breach of Enforcement Notice, with another 2 to be vacated by 12 August 2022. Useful discussions held with new solicitor for landowner. 12 July 2022. • Further site visited required to confirm situation. 7 September 2022 • Site visit 20 September confirmed 5 caravans still present. Landowner subsequently offered to remove 3 by end October and remaining 2 by end April 2023. 3 October 2023.
4 December 2020	Land to east of North End,	Unauthorised change of use to	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices.

Committee date	Location	Infringement	Action taken and current situation
	Thorpe next Haddiscoe	mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> • Section 330 Notices served 8 December 2020. • Enforcement Notice served 12 January 2021 with compliance date 12 February 2021. • March 2021 - Some clearance commenced. 3-month compliance period. • Site to be checked for progress. April 2021 • Progress being monitored. May 2021 • Site not cleared by deadline. Operator given a further period. June 2021 • Negotiations underway. July 2021 • Further clearance, but incomplete. 25 August 2021 • Further clearance. Inspection needed. 22 September 2021 • Landowner given to end of year to complete clearance. 22 October 2021 • Further material removed, but some work required for compliance. Correspondence with landowner. 17 January 2022 • File review underway. 7 February 2022 • Verbal update and recommendation to be provided at meeting. • Direct action authorised. 1 April 2022. • Discussions with contractors underway. 11 April 2022 • Landowner given to 31 May to clear site. Site visit 12 May showed no further works undertaken. 13 May 2022 • Site to be checked for progress. 6 June 2022 • Site visited and sectional building found to have been moved to adjacent land; no other progress. 12 July 2022. • Legal advice received. 16 September 2022.

Committee date	Location	Infringement	Action taken and current situation
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> • Authority given for the service of Enforcement Notices. • Enforcement Notice served 29 January 2021. • Appeal against Enforcement Notice received 18 February 2021. • Documents submitted and Inspector's decision awaited. September 2021
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development comprising erection of workshop, kerbing and lighting	<ul style="list-style-type: none"> • Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022 • Temporary Stop Notice served 13 May 2022. • Enforcement Notice and Stop Notice regarding workshop served on 1 June 2022 • Enforcement Notice regarding kerbing and lighting served on 1 June 2022 • Appeals submitted against both Enforcement Notices. 12 July 2022
21 September 2023	Land at Loddon Marina, Bridge Street, Loddon	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the cessation of the use and the removal of unauthorised static caravans • Enforcement Notice served. 4 October 2022

Author: Cally Smith

Date of report: 4 October 2022

Planning Committee

14 October 2022

Agenda item number 9

Oulton Neighbourhood Plan- proceeding to referendum

Report by Planning Policy Officer

Summary

The Oulton Neighbourhood Plan and the representations received on the submitted Plan during the publication stage have been subject to an independent examination by a suitably qualified individual who endorsed the Plan, with some changes, for referendum.

Recommendations

To support the Examiner's report and support the Oulton Neighbourhood Plan proceeding to referendum.

1. Introduction

- 1.1. The submitted Oulton Neighbourhood Plan was approved by the Broads Authority at Planning Committee in April 2022. This was followed by a statutory publication period between 13 May and 24 June 2022 in which the Plan and its supporting documents were made available to the public and consultation bodies via the East Suffolk Council website: [Oulton neighbourhood area » East Suffolk Council \(eastsuffolk.gov.uk\)](https://www.eastsuffolk.gov.uk/oulton-neighbourhood-area)
- 1.2. During the publication period, representations from many different organisations/ individuals were received: [Responses to Oulton Neighbourhood Plan Regulation 16 \(pdf | eastsuffolk.gov.uk\)](https://www.eastsuffolk.gov.uk/responses-to-oulton-neighbourhood-plan-regulation-16)
- 1.3. These representations were submitted, along with the Neighbourhood Plan and supporting information, to the independent Examiner, Christopher Lockhart-Mummery QC. The examination was conducted via written representations during summer 2022 (the Examiner deciding that a public hearing would not be required).
- 1.4. Legislation directs that an Examiner considers whether:
 - a) the draft plan meets the 'basic conditions'¹ of a Neighbourhood Development Plan,

¹ [Neighbourhood planning - basic conditions for neighbourhood plan to referendum GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/neighbourhood-planning-basic-conditions-for-neighbourhood-plan-to-referendum)

- b) the draft plan complies with the definition of a Neighbourhood Development Plan and the provisions that can be made by such a plan,
 - c) the area for referendum should extend beyond the neighbourhood area, and
 - d) the draft plan is compatible with the Convention rights.
- 1.5. Planning legislation states that once a local planning authority has been issued with an Examiner's report, they must consider the recommendations. If the authority is satisfied with the Examiner's recommendations then any specified modifications should be made before the Plan proceeds to referendum.
- 1.6. If the Broads Authority and East Suffolk Council are satisfied then they will need to publicise their decision (a decision statement) and move to a referendum (should that be what the examiner recommends). If they are not satisfied, then they must refuse the plan proposal and publicise their decision. This decision would be subject to a further six-week consultation, with a possibility of a further independent examination.

2. The Examiner's report

- 2.1. The [Examiner's report \(pdf | eastsuffolk.gov.uk\)](#) concludes that, subject to amendments (as set out in the report), the Neighbourhood Plan can proceed to referendum. The Examiner also concluded that the area of the referendum does not need to be extended beyond Oulton.
- 2.2. Whilst it is disappointing that the Examiner did not take forward our comments² on the Plan, the changes proposed by the Examiner seem reasonable and are useful.
- 2.3. It is therefore recommended that Planning Committee support the Examiner's report and support the Oulton Neighbourhood Plan proceeding to referendum.

3. Next steps

- 3.1. Should the Examiner's recommendations be met with full approval by East Suffolk Council and the Broads Authority, then a decision statement will then be produced which will be published, along with the Examiner's report, on the Broads Authority and East Suffolk Council's website and made available in the other locations. East Suffolk Council will make the appropriate amendments to the plan as set out in the Examiner's Report.
- 3.2. Should the recommendation be to proceed to a referendum, then the next steps will involve East Suffolk Council publishing information and giving at least 28 days' notice of the referendum (not including weekends and Bank Holidays). Again, this information will be made available on the East Suffolk Council and Broads Authority websites and likely made available by East Suffolk Council.

² [Planning policy - consultation responses January 2021 \(broads-authority.gov.uk\)](#)

- 3.3. The referendum is set for November 2022.
- 3.4. If more than half of the people who vote in this referendum vote in favour of the proposal then East Suffolk Council and Broads Authority must adopt/make the Neighbourhood Plan as soon as reasonably practicable, unless it considers that this would breach or be incompatible with any EU obligation or the Human Rights Convention.
- 3.5. This means that, should the referendum result support the Neighbourhood Plan, then the Plan would be subject to East Suffolk Council and the Broads Authority ratification before it is 'made', although the NPPG says that 'A neighbourhood plan comes into force as part of the statutory development plan once it has been approved at referendum'.
- 3.6. Should the local planning authority propose to make a decision that differs from the Examiner's recommendations (and the reason for the difference is wholly or partly as a result of new evidence or a new fact or a different view taken by the authority about a particular fact) then they:
 - 3.6.1. Are required to notify all those identified in the consultation statement about this position and invite representations;
 - 3.6.2. May refer the issue to an independent examination if they think it appropriate.

4. Financial Implications

- 4.1. Officer time in assisting East Suffolk Council with the Neighbourhood Plan process. Referendum and examination costs have been borne by East Suffolk Council.

Author: Natalie Beal

Date of report: 29 September 2022

Planning Committee

14 October 2022

Agenda item number 10

Updated National Flood Risk Guidance and our Flood Risk SPD

Report by Planning Policy Officer

Summary

In August 2022, the Flood Risk section of the National Planning Policy Guidance (NPPG) was updated. Officers checked the NPPG changes against the adopted Flood Risk Supplementary Planning Document (SPD) and found some areas where an agreed way forward is required. An addendum to the Flood Risk SPD has been produced.

Recommendation

Planning Committee endorse the addendum to the SPD as a pragmatic way of addressing the changes to the Flood Risk NPPG that are relevant to the Flood Risk SPD.

1. Introduction

- 1.1. In August 2022, the Flood Risk section of the NPPG was updated. The new NPPG can be found here: [Flood risk and coastal change - GOV.UK \(www.gov.uk\)](https://www.gov.uk)
- 1.2. The Broads Authority have an adopted Flood Risk Supplementary Planning Document (SPD): [Broads Flood Risk SPD 2020 \(pdf | broads-authority.gov.uk\)](https://broads-authority.gov.uk)
- 1.3. Officers went through the new version of the Flood Risk NPPG and checked it against the adopted Flood Risk SPD. There are some areas of the Flood Risk SPD which are slightly different to the new Flood Risk NPPG.
- 1.4. The Addendum in Appendix 1 highlights the changes to the NPPG which are relevant to the Flood Risk SPD, and states how we will address the changes.
- 1.5. This addendum is a pragmatic approach to addressing the changes of the NPPG.

Author: Natalie Beal

Date of report: 03 October 2022

Appendix 1 – Addendum to the Flood Risk SPD October 2022



Addendum to the Flood Risk SPD

To reflect NPPG changes

October 2022

1. Introduction

- 1.1. In August 2022, the Flood Risk section of the NPPG was updated.
- 1.2. The new NPPG can be found here: <https://www.gov.uk/guidance/flood-risk-and-coastal-change>
- 1.3. The Planning Team of the Broads Authority have compared the old version of the NPPG with the new version to create a [comparison of old v new NPPG flood risk \(draftable.com\)](#)

2. Flood Risk SPD

- 2.1. The Broads Authority have an adopted [Flood Risk Supplementary Planning Document \(SPD\) \(broads-authority.gov.uk\)](#)
- 2.2. Officers went through the new version of the Flood Risk NPPG and checked the changes against the adopted Flood Risk SPD. There are some areas of the Flood Risk SPD which are slightly different to the new Flood Risk NPPG.
- 2.3. This Addendum highlights which changes to the Flood Risk NPPG are relevant to the Flood Risk SPD and states how we will address the changes.
- 2.4. Please note that the Flood Risk SPD elaborates on local and national policy. The NPPG, NPPF, Local Plan and SPD are all used in determining planning applications. All relevant changes to the NPPG will be considered when determining applications.

3. August 2022 Flood Risk NPPG and flood risk SPD comparison

Topic	Flood Risk SPD	Flood Risk NPPG	Commentary	Action
Reasonably available	Section 6.5.5 and 6.5.6. The SPD provides guidance on when a site is deemed reasonably available.	Some additional text relating to a site being reasonably available.	It is not considered that the changes affect the SPD, but add to what needs to be considered in terms of a site being reasonably available.	Carry on using the SPD guidance, combined with the NPPG.
Area of search	Section 6.5.7, 6.5.8, 6.5.9. The SPD provides guidance on the area of search relevant to the Broads.	Some additional text relating to area of search.	It is not considered that the changes affect the SPD, but add to what needs to be considered in terms of the area of search.	Carry on using the SPD guidance, combined with the NPPG.
Wider sustainability benefits	Section 6.6.4. The SPD refers to the Sustainability Appraisal Objectives used when producing a Local Plan.	Refers to using Sustainability Appraisal Objectives, but also gives some specific examples like if a scheme uses brownfield land or would reduce flood risk to the wider community.	It is not considered that the changes affect the SPD, but add to what needs to be considered in terms of the wider sustainability benefits.	Carry on using the SPD guidance, combined with the NPPG.

Topic	Flood Risk SPD	Flood Risk NPPG	Commentary	Action
Lifetime of development	Section 6.6.5. The SPD says 100 years for residential and requires developers to set out the anticipated lifetime of non-residential development and justify this.	Residential development can be assumed to have a lifetime of at least 100 years, unless there is specific justification for considering a different period. The lifetime of a non-residential development depends on the characteristics of that development but a period of at least 75 years is likely to form a starting point for assessment.	The changes to the NPPG are quite different to the SPD.	Use the lifetime of development as set out in the NPPG and not the Flood Risk SPD.
Residual risk	6.10.7. The SPD refers to residual risk in a few places.	The NPPG introduces much new text in relation to residual risk.	It is not considered that the changes affect the SPD, but add to what needs to be considered in terms of residual risk.	Carry on using the SPD guidance, combined with the NPPG.

4. This addendum

This addendum is a pragmatic approach to addressing the changes of the NPPG. Whilst it has not been consulted on, it has been endorsed by Planning Committee.

Planning Committee

14 October 2022

Agenda item number 11

October consultation responses

Report by Planning Policy Officer

Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

Recommendation

To note the report and endorse the nature of the proposed response.

1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 28 September 2022

Appendix 1 – Planning Policy consultations received

Appendix 1 – Planning Policy consultations received

Hemsby Parish Council

Document: Hemsby Neighbourhood Plan: [Hemsby Neighbourhood Plan status - Great Yarmouth Borough Council \(great-yarmouth.gov.uk\)](https://www.great-yarmouth.gov.uk/consultations/hemsby-neighbourhood-plan-status)

Due date: 08 November 2022

Status: Regulation 16 consultation

Proposed level: Planning Committee endorsed

Notes

Hemsby first began its journey with the Neighbourhood Plan in 2017 and the steering group have worked hard on this plan for creating a future for our village. The community have helped contribute to how we can have an influence on protecting important aspects of our village and how we want to shape such things as where residential and employment sites may be suitable in the future and how these should look.

Proposed response

Summary of response

There are many comments proposed. The main thrust of the comments is seeking clarity on what is required as well as thresholds to which policies apply.

Detailed comments

Consultation Statement

It is appreciated that each comment made has a response.

In response to our comment on only focusing on street lighting, there is no reason given for this, there is no explanation of the local stance and this explanation would be welcomed.

Design Codes

No comments as does not apply to the Broads.

Neighbourhood Plan

- 1.7 – Does not read well. Here is a suggestion. This may not be ideal wording, but as written, it was not clear what was meant. ‘The number of homes rented **is 14%** ~~are (14%)~~ which ~~is are~~ significantly less **when** compared to the borough (34%) and much of Hemsby’s housing stock ranges between 2 to 4 bedrooms; with a lack of one-bedroom homes being available (5%) which is lower than the borough and national average (11-12%)’
- Page 6 – ‘H. Protect and preserve those special qualities and features that are valued by the community, such as the sandy beaches and **the** Broads’.
- Para 5.4 – refers to community actions, but says they are policies. I would remove the reference to policies in the last sentence to avoid any confusion.

- Section on Affordable Housing – would seem logical to mention that First Homes cannot come forward in the Broads.
- 6.18 – would including a map help with understanding the locations talked about?
- 6.28 says ‘in this emerging local plan’ – do you mean neighbourhood plan?
- Policy 4 – I am not sure the ands and the ors work as written. Wouldn’t you need to start the review of the plan in order to see if there is a willing land owner (part a). Would it be better worded if the first sentence and the second sentence were joined together? That could be the end of the policy? And the rest be part of text. Just seems to not work as written and the important thing is the thing that triggers the review.
- 87.9 – what evidence is there that the routes are dangerous? Is it more a perceived danger?
- Figure 2 – are any of these in the Broads? The Broads is not shown on the map...
- 8.18 says ‘The main fields of focus are those around Martham Road across to Winterton Road. **The fields between Hemsby and Ormesby.** Both of these would support linking up with set aside field margins in Martham and Ormesby’. The bit in yellow is a random sentence. Should it be linked to the first sentence with an and?
- 8.22 and 8.29 and 13.2 – Is it King’s Way or Kings Way or Kingsway?
- Top of page 25 says ‘designed to accommodate public transport as part of Policy A2: Housing Design Principles. **Norfolk County Council as the Highway Authority**’ – the yellow is an unfinished sentence.
- Policy 8 and 9 – what about cycle parking standards?
- 9.1 – first sentence – think it should be a full stop between appeal and in.
- 9.1 – is there a more recent report to quote than 2019?
- Policy 10 - there is no information on what you actually require in order to address the policy requirements. This needs to be really clear to enable the Development Management Officers from the LPAs to apply the policy.
- Policy 11: What do you mean by ‘area’? What does ‘equal quality’ mean?
- 9.15 – second sentence doesn’t really end or go anywhere. What are you trying to say about these things?
- Policy 12 ‘supported in principle, **subject to other relevant policies in the Development Plan**’ – some proposals may be quite radical and therefore it would be useful to remind applicants that other policies will apply.
- Figure 3 – please add the Broads to the map.
- 10.2 – there is also an adopted Flood Risk SPD.
- 10.6 – rather than saying ‘present day’, perhaps add the actual time period this data applies to.
- 10.12 – or successor documents – that is a usual caveat added to referencing guidance, so the most up to date is used.
- 10.15 seems to be policy wording.
- Policy 13 and 10.7 – firstly, did you want to mention the places in the policy itself. Secondly, a map showing these would be useful.
- Policy 13 – impermeable driveways are not natural SuDS (see Bungay NP Examiner report)
- Policy 13 says ‘Where development is proposed within or partly within the **Internal Drainage District of the Broads the Broads Internal Drainage Board’s** consenting process should be followed prior to determination of any planning application’. The yellow bit reads in a confusing way.

- 11.1 – ‘It is not as simple as planting trees in any space available, careful design and planning to get the right species in the right place will create a positive impact and where possible new planting should be targeted where there are existing trees and hedges’ – yellow might be better if a;
- 11.2 – think BNG will be in place November 2023
- 11.2 – ‘mandatory nationally or **locally** within the Great Yarmouth borough’.
- 11.3 – we have a biodiversity enhancements guide as well (which is referred to in the policy, but could be mentioned here perhaps).
- Policy 14 – it is conceivably that an extension to house could provide biodiversity enhancements – a bat brick or swift brick for example. So, is the threshold used at the start of the policy right? What about replacements dwellings for example, could they be excluded from the policy requirements by the wording and is that what is wanted?
- Policy 14 – the last part about BNG – what development proposals does this apply to? It is not clear what the threshold is. One could guess that the threshold used at the start of the policy is the threshold for the BNG, but I would suggest the threshold (whatever it is and note by previous comment on policy 14) is clearly set out for this part of the policy.
- Policy 14 – the last few words are confusing and not clear. What do you mean by this? 10% net gain is 10% no matter what the size of the site is. Are these words needed? If you keep them in, I would suggest they need explaining.
- 11.10 – I know that C is carbon, but might be best to say carbon.
- Throughout – it would be useful if all parts of policies are numbered or lettered so DM officers can refer to them.
- Figure 5 – please show the Broads.
- Policy 15 and supporting text – figure 5 shows buffers. Buffers are talked about in 11.8 bullet one. But the policy talks about green corridors and does not talk about buffers. Indeed, 11.8 intro does not talk about buffers. What is the point in the identified buffers and what do we LPAs do with them?
- 12.2 – rather than saying ‘the view chosen’, would ‘the views submitted’ be more correct?
- Policy 18 – is there a threshold for the second part – major development perhaps? Or are individual dwellings of 2s or 3s meant to do this?

SEA and HRA Screening

Does not refer to the Broads. But having spoken to GYBC, this has been amended and updated.

Planning Committee

14 October 2022

Agenda item number 12

Appeals to the Secretary of State update

Report by Senior Planning Officer

Summary

This report sets out the position regarding appeals against the Authority.

Recommendation

To note the report.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/C/21/3269284 BA/2017/0035/UNAUP3	Mr Henry Harvey	Appeal received by the BA on 18 February 2021 Appeal start date 26 April 2021	Land East Of Brograve Mill Coast Road Waxham	Appeal against Enforcement Notice	Committee Decision 8 January 2021 LPA Statement submitted 7 June 2021

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3291736 BA/2021/0244/FUL	Messrs T.A. Graham	Appeal received by the BA on 31 January 2022 Appeal start date 22 June 2022	The Shrublands, Grays Road, Burgh St Peter	Appeal against refusal of planning permission: Proposed retention of timber tepee structure and use as glamping accommodation as farm diversification scheme.	Delegated Decision 31 August 2021 LPA statement submitted 27 July 2022
APP/E9505/W/22/3291822 BA/2021/0253/COND	Mr P Young	Appeal received by the BA on 1 February 2022 Appeal start date 1 July 2022	Marshmans Cottage Main Road A1064 Billockby Fleggburgh	Appeal against refusal of planning permission: Revised width of building and change use of loft space, variation of conditions 2 and 7 of permission BA/2020/0083/HOUSEH	Delegated Decision 7 December 2021 LPA statement submitted 5 August 2022
APP/E9505/W/22/3292450 BA/2021/0239/FUL	Mr Gavin Church	Appeal received by the BA on 9 February 2022 Appeal start date 30 June 2022	Priory Cottage St. Marys Road, Aldeby	Appeal against the refusal of planning permission: Use of land for siting 4 No. Bell Tents and 4 No. wash sheds with compostable toilets (retrospective)	Delegated Decision 24 August 2021 LPA statement submitted 2 August 2022

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/W/22/3294205 BA/2021/0211/FUL	Mr Alan Gepp	Appeal received by the BA on 8 March 2022 Appeal start date 1 July 2022	Broadgate, Horsefen Road, Ludham	Appeal against the refusal of planning permission: Change of use to dwelling and retail bakery (sui generis mixed use) including the erection of a single storey extension.	Committee Decision 8 February 2022 LPA statement submitted 5 August 2022
APP/E9505/W/22/3295628 BA/2022/0022/FUL	Mr Matthew Hales	Appeal received by the BA 28 March 2022 Appeal start date 22 July 2022	Clean & Coat Ltd, 54B Yarmouth Road Thorpe St Andrew	Appeal against Condition 4, imposed on planning permission BA/2022/0022/FUL	Delegated decision 25 March 2022 LPA Statement submitted 25 August 2022
APP/E9505/W/22/3300601 BA/2021/0451/COND	Mr A Cook	Appeal received by the BA on 8 June 2022	Wayford Park River Holidays, Wayford Bridge	Appeal against refusal of planning permission: Incorporate shipping container into building, variation of condition 2 of permission BA/2017/0376/FUL (retrospective.)	Delegated Decision 31 January 2022 Awaiting start date.

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
APP/E9505/C/22/3301919 BA/2022/0023/UNAUP2	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 28 July 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - lighting and kerbing	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022
BA/2022/0021/UNAUP2 APP/E9505/C/22/3301976	Mr R Hollocks	Appeal received by the BA on 27 June 2022 Appeal start date 28 July 2022	Beauchamp Arms, Ferry Road Carleton St Peter	Appeal against Enforcement Notice - workshop	Committee Decision 27 May 2022 LPA statement submitted 25 August 2022
BA/2021/0490/FUL APP/E9505/W/22/3303030	Mr N Mackmin	Appeal received by the BA on 13 July 2022	The Old Bridge Hotel Site, The Causeway, Repps with Bastwick	Appeal against refusal of planning permission: 8 one-bedroom & 4 two-bedroom flats for holiday use with restaurant & covered car-park at ground level.	Committee Decision 7 March 2022 Awaiting start date

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
BA/2022/0017/FUL APP/E9505/W/22/3304463	Mr S Hooper & Ms M Alexander	Appeal received by the BA on 3 August 2022	Blackwater Carr Land Off Ferry Lane, Postwick	Appeal against refusal of planning permission: Retrospective consent for the use of a yurt on a small, raised platform, securing a table and bench to the ground, the installation of a small staked and woven willow windbreak.	Delegated Decision 8 June 2022 Awaiting start date
BA/2021/0193/HOUSEH APP/E9505/D/22/3307318	Dr Peter Jackson	Appeal received by the BA on 22 September 2022	4 Bureside Estate, Crabbetts Marsh, NR12 8JP	Appeal against refusal of planning permission: Erection of fence	Delegated Decision 29 July 2022 Awaiting start date.

Author: Cheryl Peel

Date of report: 03 October 2022

Background papers: BA appeal and application files

Planning Committee

14 October 2022

Agenda item number 13

Decisions made by officers under delegated powers

Report by Senior Planning Officer

Summary

This report sets out the delegated decisions made by officers on planning applications from 05 September 2022 to 04 October 2022 and Tree Preservation Orders confirmed within this period.

Recommendation

To note the report.

Parish	Application	Site	Applicant	Proposal	Decision
Bramerton Parish Council	BA/2022/0237/HOUSEH	Honeysuckle Cottage Mill Hill Bramerton Norfolk NR14 7EN	Ms N Hay	First floor rear extension above existing flat roof.	Approve Subject to Conditions
Coltishall Parish Council	BA/2022/0285/HOUSEH	Burebank House 4 Anchor Street Coltishall Norwich Norfolk NR12 7AQ	Mr & Mrs R Palmer	Replacement windows & doors from aluminium to UPVC	Refuse

Parish	Application	Site	Applicant	Proposal	Decision
Haddiscoe PC	BA/2022/0251/COND	Haddiscoe Tavern, Pampas Lodge Caravan Park The Street Haddiscoe Norfolk NR14 6AA	Mr A Barham	Allow year-round occupation of caravans, removal of condition 5 of permission BA/2021/0242/COND	Approve Subject to Conditions
Horning Parish Council	BA/2022/0233/HOUSEH	Ferrymans Cottage Ferry Road Horning Norfolk NR12 8PS	Mr Kevin Stephenson	Sliding gate to front boundary, replacement cladding to main building, enlarge decking in front of building, install decking around the chalet and along riverfront, and replace windows and French doors.	Approve Subject to Conditions
Horning Parish Council	BA/2022/0292/HOUSEH	Silver Birches 1 Bittern Island Lower Street Horning Norfolk NR12 8PF	Joanna Cottrell	Replacement of 110m of quayheading in timber	Approve Subject to Conditions
Mautby Parish Council	BA/2021/0434/FUL	Lower Wood Farm Browns Lane Mautby Norfolk NR29 3JQ	Mr Rory Sheridan & Miss Jill Nichols	Proposed managers accommodation bungalow and office facilities	Approve Subject to Section 106 Agreement

Parish	Application	Site	Applicant	Proposal	Decision
Ormesby St Michael Parish Council	BA/2022/0287/NONMAT	The Ark Decoy Road Ormesby St Michael Norfolk NR29 3LX	Mr Paul Vicary	Add a door and window to the end wall, non-material amendment to permission BA/2020/0125/HOUSEH	Approve
Oulton Broad Parish Council	BA/2022/0206/FUL	Maffett Marine Caldecott Road Lowestoft Suffolk NR32 3PH	Mr Graham Turner	Installation of 3 electric hook up points and electric generation box (Retrospective)	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0254/HOUSEH	9 Marsh Road Lowestoft Suffolk NR33 9JY	Mr & Mrs Theaker	Proposed single & double storey rear extension	Approve Subject to Conditions
Rollesby Parish Council	BA/2022/0252/HOUSEH	Rollesby Gardens Bungalow Main Road Rollesby Norfolk NR29 5EG	Mr Jason Pert	Alterations and extensions to existing bungalow to provide enlarged bedroom and living accommodation.	Approve Subject to Conditions
Somerton Parish Council	BA/2022/0245/FUL	Primary House Horsey Road West Somerton Somerton Norfolk NR29 4DW	Mr & Mrs Noble	Change of use from allotment land to domestic curtilage and change of use of workshop to living accommodation and all associated works	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Sutton Parish Council	BA/2022/0185/HOUSEH	The Poplars Staithe Road Sutton Norfolk NR12 9QT	Mr And Mrs Halliday	Proposed 2x Storey Rear Extension To Existing Residential Dwelling, With Renovation To Existing Outbuilding + New Cart Shed Style Garage Parking.	Approve Subject to Conditions
Thorpe St Andrew Town Council	BA/2022/0263/HOUSEH	52 Yarmouth Road Thorpe St Andrew Norwich Norfolk NR7 OHE	Mr Tom Weeks	Single storey rear extension	Approve Subject to Conditions
Thorpe St Andrew Town Council	BA/2022/0236/FUL	34 Yarmouth Road Thorpe St Andrew Norwich Norfolk NR7 OEF	Mr Tristan Gordon	Elevational Amendments to support Prior Approval Application No. BA/2021/0276/CUPA	Approve Subject to Conditions
Trowse With Newton Parish Council	BA/2022/0284/FUL	Whitlingham Great Broad Whitlingham Lane Trowse Norfolk NR14 8TR	Mr Graeme Hewitt	Repair the wheelchair accessible path with a tar and chip bound surface.	Approve Subject to Conditions
Wroxham Parish Council	BA/2022/0249/HOUSEH	Heronby Beech Road Wroxham Norwich Norfolk NR12 8TP	Mr Tony Pearson	Demolition of garage. Proposed cart shed.	Approve Subject to Conditions

Tree Preservation Orders confirmed by officers under delegated powers

Parish	Address	Reference number	Description
Beccles Town Council	Morrisons George Westwood Way Beccles Suffolk NR34 9EJ	BA/2022/0002/TPO	Woodland [W1] Woodland Shelterbelt (including ash, oak, silver birch, alder, grey poplar, holly and willow)

Author: Cheryl Peel

Date of report: 05 October 2022