

**Broads Authority**

**Planning Committee**

Minutes of the meeting held on 26 April 2013

Present:

Dr J M Gray – in the Chair

Mr M Barnard	Dr J S Johnson
Ms J Brociek-Coulton	Mr A S Mallett
Prof J Burgess	Mr P E Ollier
Mr C Gould	Mr P Rice
Mr M T Jeal	Mr R Stevens

In Attendance:

Mrs S A Beckett – Administrative Officer  
Mr F Bootman – Planning Officer  
Mr S Bell – for the Solicitor  
Mr A Clarke – Senior Waterways and Recreation Officer  
Mr B Hogg – Historic Environment Manager  
Ms A Long – Director of Planning and Resources  
Ms A Macnab – Planning Officer  
Mr A Scales – Planning Officer  
Ms C Smith – Head of Development Management  
Miss K Wood – Planning Officer

Members of the Public in attendance who spoke:

**BA/2012/0271/FUL Pegasus Marine, Caldecott Road, Oulton**

Mr C Swan      Oulton Parish Council and Broads Local Access Forum

Mr D Capp      Broads Society

Mr J Taylor      Objector (On behalf of Residents of Pegasus Mews)

Mr E Gilder      Land Manager, Badger Building (East Anglia) Ltd for the Applicant

**BA/2013/0072/FUL Cantley Sugar Factory, Station Road, Cantley**

Robert Beadle      Chairman of Cantley Parish Council

Cllr Andrew Proctor      District Ward Member

**BA/2013/0035/FUL Compartment 19 Right Bank of the River Yare,  
Between Carlton Beck and Langley Dyke and**

**BA/2013/0061/FUL Compartment 22 Right Bank of River Chet,  
between Pyes Mill and Nogdam End, Loddon  
Compartment 22**

Mr Jeremy Halls (BESL)      Agent on behalf of the Applicant

**BA/2013/0078/FUL Site Adjacent the Staithe, Stalham**

Philip Atkinson                      Agent on behalf of the Applicant

#### **11/1 Apologies for Absence and Welcome**

Apologies for absence were received from Miss S Blane and Mr N Dixon.

The Chairman welcomed everyone to the Planning Committee and gave an outline of its composition.

#### **11/2 Declarations of Interest**

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

#### **11/3 Minutes: 28 March 2013**

The minutes of the meeting held on 28 March 2013 were agreed as a correct record and signed by the Chairman subject to the inclusion of "lobbied by objectors" under the Declaration of Interests in Appendix 1 by All Members re Applications BA/2012/0258/FUL and BA/2012/0023/FUL.

#### **11/4 Points of Information Arising from the Minutes**

There were no points of information arising from the Minutes.

#### **11/5 To note whether any items have been proposed as matters of urgent business**

No items had been proposed as matters of urgent business.

#### **11/6 Chairman's Announcements and Introduction to Public Speaking**

##### **(1) RTPI Annual Conference: Thursday, 4 July 2013 9.30am to 4.00pm Huntingdonshire DC offices, Cambs**

Theme: "Helping to Understand Town and Country Planning and the Significant Recent Changes". Important to councillors relatively new to planning as well as a refresher and update for longer established members.

(2) **RTPI Planning Summer School 6 - 9 September 2013  
University of Leeds 80<sup>th</sup> Anniversary. Theme: Planning for  
Prosperity to include practitioners and councillors**

Members received notice of the annual RTPI conference to be opened by Lord Taylor of Goss Moor. Topics would include: Design, Update on Neighbourhood Plans, Advice on Planning and Probity, How the environment can help secure a prosperous future.

Anyone interested in attending should inform the Administrative Officer.

(3) **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 revised Code of Conduct for Members and Officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

**11/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

Requests for two items to be deferred had been received. The Chairman announced that he intended to take these requests when the items were dealt with on the agenda.

**11/8 Applications for Planning Permission**

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

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

(1) **BA/2012/0271/FUL Pegasus Boatyard Site, Caldecott Road, Oulton Broad, Lowestoft**

Redevelopment to provide 76 dwellings, new boatyard buildings, office, moorings and new access road  
Applicant: Badger Builders Ltd.

Members of the Committee had had the opportunity of having a very detailed two hour visit to the application site on 11 April, including a view of the site from the Broad, a brief note of which was attached to the report.

The Planning Officer gave a detailed presentation of the application outlining the history and explaining that a Development Brief had been prepared by the Authority and the site had been the subject of a number of proposals and detailed discussions with the applicant. She provided a description of the context of the site pointing out the Conservation Area boundary and surrounding development as well as the differences in site levels both externally, especially in relation to Pegasus Mews, and within the site itself, explaining that these had dictated the proposed form and design of the development and the elements within it with the boatyard and offices being on the lower lying ground in Flood Risk Zone 3b and the residential development on the higher ground Flood Risk Zone 1. The presentation included artist's impression of the development with photomontages as well as a "Fly Through" to provide an idea of the mass and form of the proposals including a representation of the public viewing area, the reed bed area and the mooring pontoons.

In addition to the consultations documented in the report, the Planning Officer confirmed that the Navigation Committee had considered the proposals at its meeting on 28 February and had welcomed the scheme. Although welcoming the maintenance of a boatyard facility on the site there were concerns expressed about its viability as well as the capacity of the moorings for the numbers proposed. However, the Committee had been happy with the scheme and was satisfied that there would be no detrimental impact on the navigation of Oulton Broad.

The Planning Officer emphasised that the application had been assessed within the context of the NPPF and the Authority's Development Management Policies taking account of the Development Brief as well as the emerging Site Specific Policies notably PP/OUL 3. She concentrated on the salient points relating to the main issues against which the application was assessed and addressed these in relation to the comments received: the principle, layout and design of the various elements, boatyard provision and associated moorings, impact on the Broads landscape, ecology, contamination, flood risk, residential amenity, affordable housing and other S106 contributions as well as traffic generation and highway safety, about which there had been most concern.

Although acknowledging and recognising the concerns relating to the deficiencies of the highway infrastructure of Commodore and Caldecott Road, it was emphasised that there were extant planning permissions for various commercial uses which allowed for 500 two way movements and this represented the base line upon which the Highways Authority assessed the application. The application had been supported by a Transport Statement and the figures and calculations had been reviewed and accepted by the Highways Authority, the estimated number of traffic movements associated with this proposal being below the base line for which planning permission already

existed. As the technical and professional experts on this matter, the Authority was minded to accept that there were no highway objections.

It was noted that there had been concerns that some elements such as the height of certain buildings were contrary to the Development Brief. However, the Development Brief was for guidance and once a scheme was being worked up it was not always possible for practical purposes to follow this to the letter. It was important that the general scope of the Brief was adhered to, and in this instance, officers considered that the scheme satisfied the concepts within the Development Brief.

With regards to potential Section 106 Agreement contributions, the applicant had provided a full financial appraisal which had been robustly and thoroughly scrutinised by a consultant acting on behalf of the Authority. This concluded that the financial viability of the site was marginal and therefore the developer could not provide significant sums as S106 contributions. However, the applicant had offered a one-off payment of £140,000 as a financial contribution as well as up to £5,000 as a highway contribution and agreed in principle to a number of Heads of Terms which included a clawback of additional financial contributions should there be a more favourable financial outcome than was currently forecast.

Having addressed the concerns and fully assessed the proposals, the Planning officer concluded that the application was in accordance with policies and could be recommended for approval subject to conditions, including the removal of permitted development rights.

Mr Swan from Oulton Parish Council and on behalf of the Broads Local Access Forum expressed appreciation for the extremely thorough and well attended site visit. The proposed public access slipway and viewing platform with interpretation panels was to be very much welcomed as well as the possibility of a Lowestoft company operating from the boatyard. The proposals were welcomed.

Mr Taylor from Pegasus Mews on behalf of Oulton Broad residents commented that as a long time resident of Oulton Broad he had observed the changes in the character of the area with the demise of a number of businesses. Although there had been improvements with development and redevelopment there had been no changes to the infrastructure especially the road network. He expressed considerable concern about the impact of the proposals on the safety aspects of the highway, access to and from the site and the prospect of increased congestion, particularly with the limitations of Commodore Road with on road parking and narrow 67cm wide pavement. The estimated 500 two-way vehicle movements would effectively be an extra 1,000 car journeys per day. He also expressed concern that the proposals were an overdevelopment of the site and the impact on the highways, schools and medical facilities had not been sufficiently documented. In

conclusion, he was concerned about the residential amenity and safety of the local residents and although aware of the Highways Authority having no objections suggested a full independent survey of the highway access routes and pathway. He advocated a more modest proposal.

Mr Capp, from the Broads Society expressed concern about the boatyard facilities being too limited given that Oulton Broad was very favourable for sailing. He also considered that there was insufficient space for hard standing of boats in the winter.

In response, the Planning Officer explained that according to the technical ratios allowed for there were sufficient parking spaces available to serve the moorings and suitable space for winter storage. The scheme had been devised in consultation with and on advice from a local commercial boatyard operator who was confident that the boatyard met functional requirements and would be suitable for a number of other boatyard operators. A response plan associated with flooding would also be in place and the Environment Agency was satisfied with the proposals.

Mr Gilder on behalf of the applicant, explained that the application was one of the most challenging he had had to deal with given the complex nature of the site and its location. He commended the officers for their patience and professionalism. He responded to some of the concerns expressed particularly those relating to the boatyard. It was necessary to configure a boatyard suitable for its time and to be efficient. Although concerns had been expressed about the viability of the boatyard, there would be no benefit to the developer for this to fail as the site for this was unsuitable for other forms of development particularly housing. He stressed that according to the TRICS model used by the Highways Authority, there were no objections. Having carried out the applicant's own traffic survey of the movements from a comparable development off Swonnells Walk, he was of the view that the traffic movements would in practice be less than those provided by the model. He considered that there would not be sufficient grounds to refuse the application on these grounds. He accepted that the development was not of low density but there was the need to provide a viable development and it was hoped that the resulting mixed scheme had been well crafted to ensure the survival of the area.

In general members considered that the scheme represented a high quality of design with many commendable features particularly given the complexities and nature of the site. They considered that the applicant had met the criteria within the Development Brief and the proposed development was in accordance with policies. The proposals would provide a welcome improvement on the site's current derelict state and they welcomed the way in which the applicant had responded and addressed ecological issues. With regard to the concerns about over development, although not having seen the disclosure of business

proposals for commercial reasons, the Committee was satisfied with these having been assessed by an independent expert and that the scheme was marginal and not viable taking into consideration what would be required under a Section 106 Agreement at present for such a site.

They did not wish the scheme to be lost. However, the Committee had considerable concerns over the traffic issues as represented to them and considered that these were of significant seriousness which warranted more detailed consideration by the Highways Authority and advocated that these be presented personally by the officer to the Committee.

Dr Johnson proposed, seconded by Mr Rice that the application be deferred for further consideration and assurances from the traffic engineer in person.

The Planning Officer explained that the Authority recognised that there were traffic restrictions on Commodore Road but the Highways Authority were the professional experts and had not raised an objection. Therefore it would be difficult for the Authority to refuse the application on highway grounds, given the expert advice received. The Planning Officer explained that the Traffic Statement provided by the applicants had been prepared by a professional qualified highways engineer and reviewed by the Highways Authority very thoroughly. They had confirmed that the Statement was the correct level of information required given the nature of the application, the complexities of the site and the extant planning permissions. The highway issues and traffic management had been discussed with the Highways Authority on a number of occasions as they were an integral part of the scheme. Unfortunately the Highways Officer from Suffolk County Council had not been able to attend this meeting and therefore the Authority's officers had sought and received confirmation from the officer that the advice given and the reasoning for providing "no objection" still stood. They had no reason to refuse the application subject to conditions as set out.

Members considered that they were in a difficult position. Although having considerable sympathy with the residents about the concerns relating to highways, the professionals on whom the Authority relied had not objected and had no reason to alter their view. It had been clear that the Planning Officer had discussed the matter with the Highways Authority officer on several occasions and if the matter was deferred there was no guarantee that the officer from the Highways Authority would be in attendance. In any event, the Planning Officer had discussed the issues at length with the officer from the Highways Authority before the planning committee today. On this basis, the motion to defer was withdrawn. On the basis of the advice, Members considered that the scheme as proposed with the prior completion of a Section 106 Agreement and appropriate conditions was acceptable.

RESOLVED by 8 votes to 2.

that subject to the prior completion of a Section 106 Agreement the application be approved subject to conditions as outlined within the report including an additional condition removing permitted development rights, as the application is in accordance with all the relevant Development Plan Policies which have been found to be fully consistent with the National Planning Policy Framework including Policies namely CS1, CS3, CS4, CS6, CS8, CS10, CS14, CS15, CS17, CS22, CS23, CS24 of the Core Strategy and Policies DP1, DP2, DP3, DP4, DP11, DP12, DP13, Dp16, DP19, DP30, of the Adopted Broads Development Management Plan DPD (2011).

The proposed scheme is also considered to be fully in accordance with those Development Plan Policies, which whilst found to be not wholly consistent with the National Planning Policy Framework do still have some weight in the determination of this application including Policies CS7, CS20, CS21, of the Core Strategy 2007 and Policies DP7, Dp18, DP20, DP23 and DP28 Broads Development Management Plan DPD (2011).

- (2) **BA/2013/0072/FUL Cantley Sugar Factory, Station Road, Cantley**  
Proposed extension in height of two existing sugar syrup storage tanks along with an additional storage tank and associated landscaping  
Applicant: Mr Mark Tolly

Members had received a letter from Cantley Parish Council expressing concerns about the application, that due process had not been carried out and requesting that the consultation period be re held or the decision delayed and a public meeting be held with Planning Officers, British Sugar and Cantley Parish Council.

The District Ward member, Mr Proctor addressed the Committee in support of the Parish Council requesting that the application be deferred in order to ensure that all residents of the small community were made fully aware of the application, to give British Sugar the opportunity to explain the proposals to them and discuss these critically and fully in order to engender a positive dialogue and maintain good relations. It was considered that given the size of the community and the nature of the industry, by definition, there would be an impact on those residents and therefore it was important to consider the options to reduce any problems.

Members noted that statutorily the Authority was required to erect a site notice or notify residents in the immediate vicinity of the application and that the Authority had done both of these as well as place an advertisement in the Eastern Daily Press, thus exceeding the statutory requirements. The statutory requirement for receipt of comments was 21 days following notification (the letters were posted on 4 March),

although the Planning Officer had for practical purposes explained that representations would be received up to the date of the Committee deadline date of 10 April. However, the Chairman of the Parish Council explained that this information was not displayed on the website. Although a Site Notice had been displayed at the entrance to the site, the Parish Council did not consider this would have been sufficient for all residents who might be affected by the proposals. It was clarified that there was no requirement for British Sugar to discuss proposals with the community although Members considered that this would be advisable.

Members considered that in the best interests of all concerned a deferral of the application was the best course of action. This was proposed by Mr Jeal and seconded by Dr Johnson.

RESOLVED by 8 votes to 1 against with one abstention.

that the application be deferred:

- (i) to enable officers to re-consult the Parish Council and the local residents on the application, by hand delivering letters to all those immediately affected and reset the time frame for consultation;
- (ii) to specifically request and enable the Parish Council to display a Site Notice; and
- (iii) to encourage British Sugar to meet with Cantley Parish Council, possibly at the next Parish Council meeting on 16 May 2013 and explain to the community their proposals for the site before the Planning Committee considered the application.

- (3) **BA/2013/0035/FUL Compartment 19 - Right Bank of The River Yare, Between Carleton Beck and Langley Dyke (amended to exclude that part of the application relating to Langley Dyke)**  
Flood defence works including strengthening / rollback of floodbanks, soke dyke excavation with a temporary site compound and associated engineering works  
Applicant: Environment Agency

Further to consideration at the previous meeting on 28 March Minute 10/8(1) The Planning Officer explained that a new revised application had been submitted which excluded the Langley Dyke section and the importation of clay to this area from the original application. The material required for the remainder of the site would be sourced from the soke dykes.

The Planning Officer concluded that based on the revisions to the initial scheme, and the submission of further information from BESL, the application would provide enhanced flood defences protecting land and

businesses; nature conservation management interest; preserve recreational opportunities and safeguard heritage interests. The loss of grazing marsh of limited bio-diversity interest was acceptable and was outweighed by the benefit of greater protection to a wide area of grazing marsh. He therefore recommended approval as it was in accordance with the development plan for the Broads.

Members considered that the flood protection scheme was acceptable and represented an appropriate design of development associated with flood defence work in this location subject to the imposition of conditions.

It was noted that a future application for flood defence works in the Langley Dyke area was anticipated but this would be subject to detailed assessment of the traffic routes for Committee consideration.

Members welcomed the proposal and

RESOLVED unanimously

the amended application excluding that part of the works relating to Langley Dyke, be approved subject to conditions outlined in the report together with Informatives as the application is considered to meet the requirements of the Broads Core Strategy DPD in particular Policies CS3, CS4, and CS6 and Development Management DPD Policies, particularly Policies DP1 and DP11, and would not materially conflict with other policies in the Development Plan Documents. Visual and residential amenity, highway impact and potential for contamination will be safeguarded as a result of revised sympathetic design, re-vegetation, working hours and limit on vehicle movements as required by planning condition. The proposal is considered to represent an appropriate design of development associated with flood defence work in this location.

(4) **BA/2013/0061/FUL Compartment 22 - Right Bank Of The River Chet, between Pyes Mill And Nogdam End, Loddon**

Flood defence works consisting of floodbank strengthening, setback and rollback, soke dyke excavation for material sourcing and riverside piling 'removal' with temporary site compound and associated engineering works.

Applicant: Environment Agency

The Planning Officer explained that the application for flood defence works along a 4.2 kilometre length of floodbank in Compartment 22 had been the subject of discussions over many years. The majority of the existing flood banks as well as the piling had been rated as being in poor condition and it was proposed that in this case, the piles would be driven to below the bed level. Therefore, given that this was a new technique used in the Broads and the concerns expressed as detailed in the consultations, a trial would be undertaken to ensure that

appropriate safeguards and mitigation measures were in place. It was also suggested that a further application be submitted to ensure that the trials had taken place satisfactorily.

Since writing the report, comments had been received from the County Councillor who was now satisfied and supported the proposals.

In conclusion, the Planning Officer recommended that the application could be approved subject to conditions as the proposals would provide enhanced flood defence protecting land, conservation management, preserve recreational opportunities and safeguard landscape value.

Mr Halls, BESL gave a description of the trial techniques which had been designed with a geotechnical engineer as the ground conditions for the Compartment were very challenging and the quality and nature of the piling varied. The driving of the piles into the river bed would help to increase stability. BESL was confident that the technique would be satisfactory but the trial would help to provide further safeguards.

Members were assured that the maintenance of the flood defences was guaranteed and that this would be the responsibility of BESL until 2021 following when that responsibility would pass to the Environment Agency. With regards to public access, it was noted that although the improved flood defences might provide improved conditions for such access, this was not a priority site as yet. Once in place it would be up to the Authority to negotiate with the landowner the possibility of providing such access. This was outside the current application.

Members concurred with the assessment and welcomed the long awaited proposals. They congratulated BESL on bringing the application to fruition and achieving political, local and landowner support.

**RESOLVED** unanimously

that the application be approved subject to conditions as outlined within the report as the proposals are considered to meet the requirements of the Broads Core Strategy DPD and Development Management Policies DPD Policies, particularly Core Strategy Policies CS3 and CS4 and Policies DP1 and DP11 of the DMP DPD and would not materially conflict with other policies in the Development Plan Documents. The proposal is considered to represent an appropriate design of development associated with flood defence work in this location.

- (5) **BA/2013/0078/FUL Site Adjacent The Staithe, Stalham**  
Erection of four terraced houses to be used as short term holiday accommodation at Staithe Road, Stalham  
Applicant: Mr Norman Ashton

Members noted that the site plan provided with the report was amended.

The Planning Officer explained that although outside the Development Boundary, the application site was within the Stalham Staithe Conservation Area and in an area where there were other residential uses, near to one of the largest boat operations on the Broads and in an area heavily reliant on tourism. Having provided a detailed assessment of the application, and addressed the two principle objections relating to highways and amenity, the Planning Officer supported by the Historic Environment Manager concluded that the application was in keeping with and would reinforce the character of the Conservation Area. There was no objection from the Highways Officer and although the plot site was open space, it was not open to public access. The application was recommended for approval subject to conditions as it did conform to the Broads DM DPD as well as NPPF.

Following discussion, members were satisfied that the proposals conformed to the criteria within the Authority's policies and concurred with the officers' assessment.

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report as it is considered to be acceptable and in accordance with Policies DP5, DP14, DP15 and DP28 of the adopted DM DPD (2011).

**11/9 Application referred to Broads Authority for Consultation:  
BA/2012/0170/NEIGHB**

Deal Ground, Trowse for Mixed-Use Development  
Applicant: Serruys Property Company Ltd

The Committee received a report on the proposals for the application to be determined by Norwich City Council for a mixed use redevelopment of a brownfield site comprising the construction of a maximum of 670 residential units, a Local Centre comprising 9 commercial units, a restaurant dining quarter and a public house on a site totalling 19 hectares known as the Deal Ground (14ha) and the former May Gurney site (5ha) in Trowse. It was emphasised that the Authority was a consultee only but given the major nature of the application and its potential impact on the Broads area, officers had consulted the Authority's key stakeholders and their views were noted.

As a consultee, members concentrated on those aspects of the application that directly related to the area and the impact on the Broads namely the

scale, mass and design of the development, the impact on the river valley and any omissions or recommended amendments. They noted the location of the County Wildlife Site within the flood plain and that this would be retained as such with access being actively discouraged.

Members were particularly mindful of the potential significant impact on Whitlingham Country Park given that this would be the nearest area of open public access space for the proposed dwellings on the site. The Country Park served a wide area and was currently operating at capacity and above at peak times and therefore the current facilities would be inadequate. There was no recognition of this impact and the potential of a direct contribution to this to accommodate numbers had not been addressed within the application. It was noted that the proposal for a bridge was a separate application but it was felt that this was an essential part of the whole development that required careful consideration.

Members noted that the scheme was bold and largely associated with the urban area. However, the proposed large blocks of accommodation that were proposed to be located at the very edge of a rural area and the abrupt transition to open countryside required very careful consideration. Although the proposals were only in outline members had considerable reservations about the design of the scheme and the potential significant impact of the scale and mass of the development. The provision of buildings right up to the river appeared to be counter intuitive and could provide a canyon effect. They fully supported the assessment within the report.

Although it was considered that there would be no significant impact on the river and navigation function, members considered that there would be a significant impact on the riverscape. There was concern that there was no reference to or inclusion of any mooring or other water-based recreation provision within the scheme and this was regrettable, an issue that had been raised by the Navigation Committee. Members considered that the loss of a mooring basin and the provision of a slipway, as detailed in the original application was detrimental. They considered that more details were required and commented that a slipway would require a considerable area of ground.

Members had particular concerns about the impact of the scheme on water quality and biodiversity and fully endorsed the comments within the report.

Members also gave consideration to the access and traffic movements to and from the development and although the road network was not specifically within the Broads Authority's area, these would have an impact on those residents within Trowse and visitors to Whitlingham Country Park.

Members fully endorsed the comments within the officer's report and considered that these should be strengthened where possible as indicated in the discussion.

## RESOLVED

that Norwich City Council be informed that the Authority considers that as the proposals relate to a major scheme there are a number of outstanding issues which require to be addressed particularly relating to mitigating the impact on Whitlingham Country Park, improved facilities for increasing recreational access to the water and compensating for habitat loss as well as the impact on the riverscape and the scale, mass and configuration of the design of the development. The Authority is therefore of the view that these issues require to be addressed and resolved before the Authority is able to support the application.

### **11/10 Enforcement of Planning Control**

#### **(1) Unauthorised Development Work undertaken at Sotshole Broad, Norton Hill, Ranworth BA/2012/0039/UNAUP1**

The Committee received a report concerning the development on Sotshole Broad (or Ranworth Little Broad) without the benefit of planning permission. These works included the installation of quay heading along approximately 65m of Broads edge, decking and boardwalks and improvements to footpaths and associated bridges. The unauthorised development had resulted in the loss of the wet woodland edge which should be discouraged in order to retain the character of the area. Members noted that this was not an area where the Authority would wish to permit such development.

The development was considered to be contrary to Policy CS1 of the adopted Core Strategy Policies and DP1, DP2, DP4 and DP13 of the adopted Development Management Policies which sought to protect the environmental and cultural assets of the Broads distinctive landscape and ensure that all design was of a high quality.

Members noted that officers would be trying to resolve the situation through negotiation.

RESOLVED by 7 votes to 3

- (i) that authority be given for the serving of an Enforcement Notice in consultation with the solicitor, requiring the removal of the quay heading, decking, footpaths, boardwalks and bridges where appropriate and the restoration of the site to its condition prior to the unauthorised development, and that a compliance period of 3 months be given.
- (ii) that in the event of non-compliance, authority be given for prosecution (in consultation with the Solicitor).

(2) **Waveney Inn and River Centre, Staithe Road, Burgh St Peter**

The Chairman commented that he had received a request from the Chairman of the Navigation Committee to defer consideration of the report concerning the installation of mooring posts for the operation of a ferry adjacent to the Waveney Inn and River Centre, Station Road, Burgh St Peter, given that it involved a member of the Navigation Committee. It was recognised that the development that had taken place constituted development for which planning permission was required .

Although members were mindful that a previous proposal that had been withdrawn had been recommended for approval, and enforcement was discretionary, it was considered important for the Authority to demonstrate that it was acting appropriately and perceived to be doing so. In light of the request members considered that deferral was appropriate.

RESOLVED by 9 votes to 1 against

that the report be deferred for one month to enable the Chairman of the Navigation Committee to discuss the matter with the person concerned with the aim of regularising the position.

**11/11 Heritage Asset Review Group**

The Committee received the Notes from the Heritage Asset Review Group held on 28 March 2013.

RESOLVED

that the report be noted.

**11/12 Enforcement Update**

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

RESOLVED

that the report be noted.

**11/13 Appeals to the Secretary of State: Update and Annual Review**

The Committee received a table showing the position regarding appeals against the Authority since October 2012 as set out in Appendix 1 to the report and a review of the decisions received during the year April 2012 to 31 March 2013.

It was also noted that two further appeals had been received since the report had been written including an appeal against the Enforcement notices issued on the site at Thurlton. These would be included in the schedule at the next meeting.

RESOLVED

that the report be noted.

**11/14 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 19 March 2013 to 15 April 2013.

RESOLVED

that the report be noted.

**11/15 Circular 28/83 Publication by Local Authorities of Planning Statistics**

The Committee received the development control statistics for the quarter ending 31 March 2013.

RESOLVED:

that the report be noted.

**11/16 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 24 May 2013 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 14.05pm

CHAIRMAN

## Code of Conduct for Members

### Declaration of Interests

Committee: Planning Committee

Date: 26 April 2013

Name	Agenda Item/Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	11/8(2)	Applications BA2013/0072/FUL Cantley: Lobbied by Cantley Parish Council and objectors
A S Mallett	General 11/3  11/8(3) and (4)  11/12(i)	Minutes Regurgitation of declarations as per previous meeting  Member of Navigation Committee – did not participate when discussed  Norwich Frostbite Sailing Club (NFSC) – non pecuniary will withdraw from meeting if discussed
P Ollier	11/8 (3) and (4)	Member of Navigation Committee
P Rice	11/12	Enforcement Update: Ferry Inn, Horning. Involved in mediation
C Gould	11/8(4)	BA/2013/0061/FUL Compartment 22 Lobbied by both applicant and objectors
M Barnard	11/8 (i)	BA/2012/0271/FUL Local Councillor Lobbied by both objectors and supporters. Hampton Boats former client