

Broads Authority
Planning Committee

Minutes of the meeting held on 15 August 2014

Present:

Dr J M Gray – in the Chair

Mr M Barnard
Miss S Blane
Prof J Burgess
Mr N Dixon
Mr C Gould
Mrs L Hemsall

Mr G W Jermany
Dr J S Johnson
Mr P Ollier
Mr R Stevens
Mr P Warner

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr B Hogg – Historic Environment Manager
Ms A Long – Director of Planning and Resources
Ms E Guds – Administrative Officer (Governance)

2/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting.

Apologies were received from Mrs J Brociek-Coulton and Mr J Timewell.

2/2 Declarations of Interest

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

2/3 Minutes: 18 July 2014

The minutes of the meeting held on 18 July 2014 were agreed as a correct record and signed by the Chairman.

2/4 Points of Information Arising from the Minutes

(1) Minute 1/6(2) and Minute 13/6(3) Broads Site Specifics Development Planning Document (DPD)

The Director of Planning and Resources reported that the now adopted Broads Site Specifics DPD was in the process of being published and would be available as paper copies as well as in CD form. It would be distributed to Members as well as the relevant District and Parish Councils shortly.

(2) **Minute 1/10(1) BA/2014/0204/FUL Whitlingham Country Park, Whitlingham Lane**

The Director of Planning and Resources confirmed that in accordance with the Committee's resolution to grant temporary permission for a toilet building, the Trustees of the Arminghall Settlement were aware and supportive of the scheme and were completely satisfied with the proposed development.

2/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

2/6 Chairman's Announcements and Introduction to Public Speaking

There were no Chairman's announcements other than those relating to the fire regulations. No members of the public were present and therefore no need for public speaking.

2/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests for deferral of any applications had been received.

2/8 Applications for Planning Permission

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

(1) **BA/2014/0248/FUL Hoveton Great Broad, Hudsons Bay and Wroxham Island, Haughs End, Lower Street, Hoveton**

The creation of reed beds by pumping lake sediment into geotextile to create bunds, back-filling the areas behind with more sediment, and planting these areas with locally sourced fen vegetation, together with the construction of temporary fish barriers.

Applicant: Natural England

The Director of Planning and Resources provided an outline presentation on the proposal for development to facilitate a lake restoration project to improve water quality in the two privately owned broads of Hoveton Great Broad and Hudson Bay, which were within the Hoveton Estate and formed part of the Bure Marshes National Nature Reserve with Ramsar, SPA, SAC and SSSI designations. Natural England operated a seasonal nature trail on the edge of Hoveton Great Broad. Natural England was the applicant due to the conservation interest in the sites. Both broads were currently assessed

to be in an “unfavourable no change condition” and to improve the water quality, the proposals involved the removal of nutrient rich sediment and biomanipulation of the system to tip it back to a clear water macrophyte dominated condition. As such there were some elements of the project that required planning permission involving the construction of fish barriers, removal of sediment and use of geotextiles to form bunds to be back filled. Members were given an illustration of where these elements were to be sited.

The Director of Planning and Resources commented that the large scale project was likely to generate considerable public interest and due to this and the fact that the proposal would be difficult to visualise without having been on site, it was proposed that members undertake a site visit in order to benefit members’ understanding of the location and features of the site. This would be in full accordance with the Authority’s criteria for holding site visits. The next scheduled date for a Committee site visit was 29 August 2014. This was still within the consultation period. Concerns had already been expressed from consultees about the use of gabion baskets, access and the impact on archaeology.

Members considered that it would be useful to gain a good understanding of the technical aspects of the application and therefore it would be useful to view where some of the techniques proposed had already been carried out. It was noted that the PRISMA project achievements and experimental techniques provided the Authority with some of these, notably Salhouse Broad. It was noted that details were available on the Authority’s website. <http://www.broads-authority.gov.uk/looking-after/projects/prisma>

Members noted that they were required to be mindful that this was a planning matter and the main issues and material considerations for consideration were the impacts of the proposed works on the landscape and the visual appearance of the proposed works, ecology, water quality, navigation, amenity, flood risks, heritage assets and highways. It was noted that the Navigation Committee would be considering the navigational aspects of the project at its next meeting on 4 September 2014.

It was RESOLVED unanimously

That, prior to full consideration and determination of the application a site visit be held on Friday 29 August 2014 in order to provide members with a greater understanding of the location and the features of the application involved.

2/9 Planning Advisory Service (PAS) Peer Review of Planning Committee

The Committee received a report from the Director of Planning and Resources that outlined the key findings of the recent Planning Advisory Service (PAS) Peer Review into the Broads Authority's Planning Committee and associated procedures. Members noted and welcomed the Peer Review report and its Findings, noting the overall conclusion that the Planning Committee was performing very well both in general and in relation to the discharge of its functions under the Broads Act 1988 in particular. Members considered the four Areas of Improvement and the six recommendations from the PAS Review that the Broads Authority should investigate in more detail to improve the overall planning committee experience.

Members took each of the recommendations and proposed actions in turn. They welcomed the opportunities for training. With regard to public speaking they were of the view that the present arrangements worked well. Although it was important and ideal to receive prior notification of a person's wish to speak at Committee, given the sensitive nature of the Authority's area, the numbers and types of applications, as well as the need for community engagement, they agreed that the discretion of the Chairman to allow members of the public to speak should be retained. However, they were of the view that more rigorous visible timing should be investigated including the use of the main screen. Likewise with regard to the Scheme of Delegations, members did not consider that these required amendment given the relatively limited number of applications received and the issue of the possible perceived 'democratic deficit'. Although recognising that as a Local Planning Authority, the Authority was constrained by the planning rules and regulations, there were sensitivities and it was useful for certain controversial yet apparently straight forward applications in planning terms to be brought to the Committee as these provided members with an insight and understanding of the Broads generally. Members acknowledged the professionalism of officers and noted that there were relatively few applications where it had not been necessary to bring these to Committee. It was accepted that officers could be more rigorous in excluding applications where representations are not of "significant weight" and that if there were cases which were marginal these would be discussed with the Chairman and/or Vice-Chairman of the Committee.

RESOLVED

that the findings of the Peer Review Report are welcomed and noted and the proposed Action Plan to enable its implementation be approved:

- (i) Planning Committee Training (Recommendations 1, 2 and 3 of the PAS report) – First Session for 2014/15 to be held following the Planning Committee meeting on 10 October 2014 to consider material and non- material considerations as well as the five tests which apply to conditions. Second Session to be held in the Spring (April 2015). Thereafter, training on an annual basis or as and when any major

changes in planning legislation or practice take place as agreed by the Authority in June 2013.

- (ii) Public Speaking (Recommendation 4 of the PAS Report) – no change to the current guidance arrangements thus retaining the Chairman's discretion to enable members of the public to speak.
- (iii) Public Speaking (Recommendation 5 of the PAS Report) –Investigation of more rigorous but a visible timing mechanism.
- (iv) Scheme of Delegation (Recommendation 6 of the PAS report) – no changes to the Scheme of Delegations but officers to be more rigorous in their implementation and interpretation, acknowledging that in marginal cases there will be formal consultation with the Chairman and Vice-Chairman. This to be monitored and reviewed after 6 months.

2/10 Proposed Oulton Broad Conservation Area Public Consultation

The Committee received a report and presentation from the Historic Environment Manager on the draft Oulton Broad Conservation Area re-appraisal which had been considered by the Heritage Asset Review Group at its meetings in March and 18 July 2014. The delay in its production had been due to the fast tracking of the preparation of the Halvergate Conservation Area re-appraisal in light of the changes in Defra funding.

As most of the Oulton Broad Conservation Area fell within the Broads Authority area, the Authority was the lead organisation and would fund the public consultation which was proposed to last for a six week period from September. Members welcomed the intention to include the Parish Forum in the River Waveney area within the consultation period. Members noted the draft Appraisal and welcomed the proposed substantial revised boundary to the existing Conservation Area to include the Pegasus Boatyard Site, The Wherry Hotel site, Bridge Road, and Nicholas Everitt Park. It was clarified that the proposal to include the Pegasus Boatyard site was due to the approved design of development being linked to the historical features of the Old Maltings.

Members welcomed the report and congratulated officers on a much appreciated document. They endorsed the proposed revised boundary of the Conservation Area and in particular the inclusion of the Nicholas Everitt Park. The local Member for the area provided some comments and corrections for consistency including the following: Bridge Street was Bridge Road, inclusion of references to families still occupying properties which had belonged to persons of note and the fact that the Branch Library was still in existence.

RESOLVED

that the proposed Oulton Broad Conservation Area be noted and the Draft Re-appraisal be endorsed for public consultation subject to amendments suggested.

2/11 Beccles Conservation Area

The Committee received a report and presentation from the Historic Environment Manager on the Beccles Conservation Area Re-Appraisal which had been carried out by Waveney District Council as the majority of the area had fallen within its District. The Heritage Asset Review Group had considered the consultation draft at its meeting on 28 March 2014 subsequently reported to the Planning Committee on 25 April 2014. Consultee comments as well as those of the HARG had been incorporated. The Management Plan, Character Appraisal and Public Consultation feedback formed appendices to the report, and were included on the Authority's website and circulated to members. It was noted that the majority of the comments received had been fully supportive. Members noted the proposed new boundary and in particular the areas which fell within the Broads Authority area adjacent to the river. Waveney District Council had adopted that part which came within its boundary on 25 July 2014.

Members considered that the area identified by the boundary map and described in the appraisal and management plan was worthy of Conservation Area designation and that there had been appropriate community engagement.

RESOLVED

that the Character Appraisal and Management Plan for that part of the Beccles Conservation Area which was within the Authority's executive area be formally adopted by the Authority.

2/12 Heritage Asset Review Group – 18 July 2014

The Committee received the notes from the last Heritage Asset Review Group held on 18 July 2014, noting that some of the recommendations had already been dealt with at minutes 2/10 and 2/11. In addition members also noted the progress on the Local List, work on which was being carried out as part of one of the Authority's Planning Officers Master's degree.

The Historic Environment Manager provided members with a progress report on the work being undertaken on Ice House Dyke, the site for which had received planning permission for enabling development in 2013 subject to the restoration of the waterside chalet. Members were favourably impressed and encouraged with the progress, use of recycled materials from the site and the high standard of work being achieved to stabilise the existing structure. Although the property was not listed, it was being considered for local listing under the current theme of waterside chalets.

RESOLVED

that the report be noted.

2/13 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee and were pleased to note that good progress was being made with compliance.

RESOLVED

that the report be noted.

2/14 Appeals to the Secretary of State: Update

The Committee received a schedule showing the position regarding appeals against the Authority since May 2013 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

2/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 7 July 2014 to 5 August 2014.

RESOLVED

that the report be noted.

2/16 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 12 September 2014 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.35 am

CHAIRMAN

Code of Conduct for Members**Declaration of Interests****Committee:** Planning Committee 15 August 2014

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Mike Barnard	Items 2/10	Oulton Broad Conservation Area. Councilor for Oulton Broad. Friend of Nicholas Everitt Park
Jacquie Burgess	Item 2/8	Application BA/2014/0248/FUL Member of Norfolk Broads Yacht Club