

Broads Authority

Planning Committee

Minutes of the meeting held on 2 February 2018

Present:

Sir Peter Dixon - in the Chair

Mr M Barnard
Prof J Burgess
Mr W A Dickson
Ms G Harris

Mr P Rice (Minutes 7/1 - 7/8(7))
Mr H Thirtle
Mr V Thomson

In Attendance:

Ms N Beal – Planning Policy Officer (Minutes 7/10)
Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for Solicitor
Mr N Catherall – Planning Officer (Minute 7/8(1) and (2))
Ms A Cornish – Planning Officer (Minute 7/8 (4))
Ms M Hammond – Planning Officer (Minutes 7/ 8(5) and (6))
Mr B Hogg – Historic Environment Manager (Minute 7/8(8))
Mrs K Judson – Planning Officer (Minute 7/8(8))
Mr G Papworth – Planning Assistant (Minutes 8/(3) and (7))
Ms M-P Tighe – Director of Strategic Services
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke:

BA/2017/0405/FUL Study Centre, Burnt Hill Lane, Carlton Colville

Mr Steve Aylward (0405FUL) Applicant – Property Services Manager,
Suffolk Wildlife Trust

BA/2017/0392/FUL Land North of Tonnage Bridge Cottage, Oak Road, Dilham

Mr Walker Objector, resident of Oak Farm
Mr Luke Paterson Applicant

BA/2017/0474/FUL 21A Church Close, Chedgrave

Mr Fergus Bootman Agent on behalf of applicant

BA/2017/0454/COND Hoveton Marshes, Horning Road, Hoveton

Mr Jonathon Wood Applicant - Natural England

7/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting.

Apologies had been received from Mr J Timewell and Mrs M Vigo di Gallidoro

7/2 Declarations of Interest

Members indicated they had no further declarations of interest to make other than those already registered and as set out in Appendix 1 to these minutes. A general declaration of interest was made on behalf of all the Committee in relation to Minute 7/8(8) BA/2017/0475/FUL as this was a Broads Authority application.

7/3 Minutes: 5 January 2018

The minutes of the meeting held on 5 January 2018 were agreed as a correct record subject to an amendment at Minute 6/9 after para 2 of the minute to include the following wording relating to:

Enforcement of planning control – non-compliance with planning conditions: Barnes Brinkcraft, Hoveton .

“A member queried the decision as to how and why the outer edge of the moored (Chris Prior’s) barge should be regarded as, de facto, the edge of the river bank and did this decision establish a dangerous precedent”

Subject to this amendment, the minutes were signed by the Chairman.

7/4 Points of Information Arising from the Minutes

No further points of information were reported. The Chairman stated that an answer to the member’s query above should be provided.

7/5 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

7/6 Chairman’s Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Press reporter indicated that he would be recording the meeting.

The Chairman gave notice that the Authority would be recording the meeting. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would remain as the matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer

(2) Planning Officer – Maria Hammond

The Chairman announced that this would be Maria Hammond's last Planning committee meeting for the Authority as she would be leaving to go to work for Norwich City Council. Maria had been with the Authority for nearly 10 years having started as a trainee. She would be greatly missed. The Committee was very grateful for all she had done for the Authority and wished her all the very best for the future.

(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 Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

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

The Chairman commented that he did not intend to vary the order of the agenda or defer consideration of the applications.

7/8 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the 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.

The Minutes here set out the following two applications in the order in which they were dealt with at the Meeting. This was in the reverse order as to how they appeared on the agenda.

- (2) **BA/2017/0404/FUL Carlton Marshes Nature Reserve, Carlton Colville**, Habitat creation within two blocks of arable marsh. To include earthworks, low-level bunds and water level management structures, including a windpump. Floodbank strengthening, improvements to access routes used by visitors and the construction of six hides and viewing platforms. New boardwalk and widen an existing path.. Applicant: Suffolk Wildlife Trust

The Planning Officer provided a detailed presentation and assessment of the proposals for Habitat creation on the Petos Marsh and Share Marsh to be part of the Suffolk Wildlife Trust Nature Reserve at Carlton Marshes. It was noted that part of the site was within an SSSI in addition to the Broads Special Area of Conservation and the Ramsar site. Members of the Committee had had the opportunity of a site visit on 19 January 2018, a note of which was attached to the report for

application BA/2017/0405/FUL. They had also visited the site in July 2017 as part of the Authority's Members' Annual Site Visit. In addition the Planning Officer provided details of the locations and design of the 6 viewpoint structures comprising the tower hide, main hide and two open aspect hides plus two viewing platforms included in the application, as well as the windpump. He explained that the long ramped access to one of the hides only had a maximum height of 1 metre so it was a long low gradient and was definitely suitable for wheelchair access. He explained that the scales of the hides would not have a significant impact on the landscape and would be appropriate.

In conclusion the Planning Officer stated that the proposals would represent a significant advance for the nature reserve and contribute to the Suffolk Wildlife Trust's objectives in realising its long term plans and aspirations for the site, it would also provide a much larger and more diverse and resilient nature reserve, increasing the biodiversity since it would provide improved habitat for a large population of priority wetland species including the bittern. The proposal would enhance the landscape, would improve access and visitor experience and the related infrastructure was appropriate and suitable for the site. There would also be no adverse impacts on the SSSI or flood risk. It would also fit in with the Authority's first and second purposes for the special area of a National Park. It was recognised that there would be some disturbance whilst work was ongoing but suitable measures were to be put in place which had been accepted by the Broads Authority's ecologist. It was also recognised that there would be increased recreational pressures, but there was a suite of mitigation measures, including the design of the access, within the scheme that would offset these. The Planning Officer therefore recommended approval subject to conditions.

Members welcomed the proposals, in particular the hydrological measures and flood strengthening and crest raising which strengthened the functioning of Compartment 28 for flood risk as it actually completed the BESL works which had not been possible under the previous ownership of the land. The creation would enhance the biodiversity and enhance the landscape. The circular walks and viewing structures would be beneficial to encouraging visitors to explore and learn about the wildlife and in all the proposals would be a major boost to the Southern Broads and a tremendous asset to the tourism of Oulton Broad, both locally and regionally.

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

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report and relevant Informatives.

The proposal is considered to be in accordance with Policies CS1, CS4, CS 11, CS16, and CS20 of the Core Strategy (2007), Policies

DP1, DP2, DP4, DP11, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012), and it is not considered the proposal would result in any significant environmental effects.

- (1) **BA/2017/0405/FULThe Study Centre, Carlton Marshes Nature Reserve, Burnt Hill Lane, Carlton Colville** Erection of a new 'gateway' visitor centre building with viewing deck and outdoor play area for the Suffolk Wildlife Trust Oulton and Carlton Marsh Reserves, including a shop and café, and short term accommodation for the interns working with the Trust. An associated new parking area with a new access from Burnt Hill Lane. Change of use of the existing education centre to a single dwelling and conversion of the existing car park area to part domestic garden and car parking associated with the new dwelling, with the remainder reverting to agricultural land.
Applicant: Mr S Aylward Suffolk Wildlife Trust

The Planning Officer provided a detailed presentation and assessment of the proposals for the new study centre and associated elements. As with the previous application, Members had also had the opportunity of a site visit on Friday 19 January 2018, a note of which was attached at Appendix 2 to the report. He addressed the main issues for consideration of the application namely the principle of the development; impact on navigation; highways impact; impact on residential amenity; design and materials; landscape and trees; ecology; and flood risk and took account of the comments and objections received.

The Planning Officer explained that the present visitor centre would be inadequate to cater for the expanded reserve. The proposed centre would provide a gateway facility to the nature reserve, would improve the facilities and provide the kind of visitor experience and educational assets required of a site of such interest and size. The loss of agricultural land to provide the site for the centre as well as the play area was considered to be acceptable in terms of the NPPF. The proposal would not have an unacceptable adverse impact on the landscape, the centre being set into the lower part of the sloping field, lower than the residential development of Carlton Colville to the south and adjacent to the converted barns forming residential properties to the east as well as being of a suitable design.

It was explained that there had been some concerns over the access from Burnt Hill Lane and the car park. Since the writing of the report, further correspondence had been received from the occupier of one the converted residential barns which was read out, expressing concerns about visual, noise and air pollution impacts of the proposals, particularly on the amenity of the property. Although concerned about the height of the bund obscuring views, concern was also expressed that the earth mound would not prevent noise and pollution and that a higher mound would be required. The resident therefore hoped that the

application would be approved but that the car park be located further south, up the field. The Planning Officer explained that the location of the car park and the issues raised had been given careful consideration. The separation of the car park 35 metres from the residential properties (as opposed to the existing 17 metres from the current car park), being dug down into the site and the creation of a bund and additional planting was considered to mitigate any impact and considered, on balance to be acceptable. The overflow car park would be an area of grass located en route to the main car park, would only be used in very peak times, was well drained and would not be marked out.

The Highways Authority was satisfied that the pattern of use of the site would not comprise highway safety. A further update had been received from Suffolk County Council Highways who had requested an additional condition to provide adequate visibility spays at the entrance of the site and were satisfied that the turning areas would be suitable.

With regard to the discovery play landscape area, Members were assured by the applicant that despite the angular graphical representation, the play area would only have low earth bunds that would follow the contours of the land, would not be very high and would be planted as a long grass mosaic. The resulting effect would be much softer than the plans depicted and the design would mirror the form of the visitor centre to achieve visual integration.

The Planning Officer commented that the conversion of the existing education centre to residential was considered acceptable as “enabling development” since from a viability point of view it would constitute the match funding required as part of the Heritage Lottery Fund bid. There would be no additions to the buildings and the existing car park for the reserve would become a garden in part and the remainder for agricultural use. It would be a departure from policy, being outside the development boundary and would be advertised as such.

Members were assured that that there would be no adverse impact on the Land Spring Drain that was to be widened. The application was accompanied by a Hydrological Report and Assessment and Ecology report providing a comprehensive suite of mitigation measures that were considered to adequately address any potential negative impacts on the integrity of the designated site.

With regard to the timing of the demolition of the silos and derelict barn, this would be controlled by condition where the full details would be required and need to be carried out before any opening of the full development.

Having addressed the main issues in relation to the application, the Planning Officer concluded that overall the proposals would represent a significant advance for the nature reserve and would contribute to the

Suffolk Wildlife Trust's ambitions in achieving its long term plans and aspirations for the site.

Members very much welcomed the proposals considering that they would be good for the Southern Broads and would be of tremendous benefit to the Broads National Park. The scheme would provide facilities that would encourage a diverse range of people to the site, expand the environmental educational role of the centre and encourage more families to visit in the longer term. It would, in effect provide a mirror of the How Hill educational centre in the north of the Broads area. It was noted that the plans did concentrate on visitors to the site coming by car and Members considered that other forms of access by public transport should be encouraged and be advertised, such as a bus route perhaps with a stop at the top of Burnt Hill lane.

Members welcomed the application and gave it strong support. The applicant indicated that it was anticipated that the new centre would be opened by Easter 2020.

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

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report.

The proposal is considered to be in accordance with Policies CS1, CS4, CS9, CS10, CS11, CS16, CS19, and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP3, DP4, DP11, DP14, DP28, and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (3) **BA/2017/0392/FUL Land North of Tonnage Bridge Cottage, Oak Road, Dilham** 10 glamping pods and carpark
Applicant: Mr L Paterson

The Planning Assistant provided a detailed presentation and assessment of the application for 10 Glamping Pods on a 400metre strip of land adjacent to the North Walsham and Dilham canal as a scheme of farm diversification. Members of the Planning Committee had had the benefit of a site inspection on Friday 19 January 2018, a note of which was attached as Appendix 2 to the report. He addressed the key issues relating to the application concerning the design and materials of the proposal, its impact on the surrounding landscape, highway network, ecology and amenity of the neighbouring occupiers, in particular taking account of the criteria in Policy DP14 - General Location of sustainable Tourism and Recreational Development.

Since the report had been written, correspondence had been received from the local District Councillor for the area, Lee Walker, in support of

the application, commenting that the impact on the nearby residential properties would be relatively low, there would be adequate noise management, and that it represented a suitable form of farm diversification. It was noted that this replaced the objection previously raised.

The Planning Assistant confirmed that the management of the site, particularly with regard to noise, would be enforced by the applicant. The condition requested by the Highways Authority for two additional passing bays could also require that these be installed before the development took place. The Planning Assistant concluded that the NPPF and the planning policies placed a great emphasis on the protection of specially designated landscapes such as the Broads, but they were also supportive of encouraging a prosperous rural economy. In conclusion, it was considered that although there would be landscaping impacts, these would not be considered adverse and would not justify a refusal, given the design and layout of the site and other factors. It was also considered that there would not be significant impacts on the ecology, highway or neighbouring amenity and therefore the application was recommended for approval subject to conditions.

Mr Walker of Oak Farm Dilham explained that he was the resident of the property that might be most impacted on by the application. His greatest concern was that of traffic passing his property at the head of the track and that of the other residents passing down to the site. At present only local residents and the normal agricultural vehicles used the track and the proposal would result in a considerable increase in the volume of traffic. He was concerned that this proposal could set a precedent, become part of a much larger scheme opening up the area and leading to even more traffic and more people. These concerns were of more importance than those relating to the impacts on the landscape or noise issues. He queried whether this was the best location within the area, whether there was an alternative route to the site or whether anything could be done to minimise or divert the traffic to be using it, noting that his house was within 10 metres of the road.

Mr Paterson, the applicant explained he was the fourth generation landowner and was looking to diversify his farming practice and unlock his capital by making the land available to the wider public and tourists. He commented that the application was supported by the Planning Officer, the Highways Officer and the Local District Councillor. It was hoped that it would generate 4.8 jobs and significant income to the local economy by visiting tourists and provide the farm with substitute income for the outgoing basic payment scheme. He thanked Members for visiting the site and assessing the landscape. He always intended to clad the pods with cedar as the area's landscape was of concern to his family and always greatly appreciated. The site had been chosen with the benefit of pre-application advice from the planning officers. In response to a question he confirmed that he owned the water as part of

the Dilham canal and was involved with the campsite at Dilham with experience in the hiring of canoes. He explained that canoes from this site could be launched from next to Tonnage Bridge and those using canoes would have to be briefed by staff who would be on hand to help. The canoes and the bicycles available for hire would be stored at the main farm and only brought down to the site when booked. With regard to the concerns relating to safety, Mr Paterson explained that there was a hedge between the canal and the site and this would act as a physical barrier. He reiterated that those hiring the canoes would have to have a safety briefing and it would be compulsory to wear life vests. This was necessary for insurance purposes as well as to keep people safe. He explained that it would be possible to install life safety rings.

In response to a further question regarding traffic, he confirmed that at full occupancy the car park would have a maximum of 15 spaces at full take up, but it was hoped that people would stay on the premises, using bikes and canoes thus minimising traffic movements. With reference to maintenance traffic, it was anticipated that there would be no more than ordinary farm traffic for cutting the grass and servicing the pods, which were specifically designed to be as low maintenance as possible.

The Chairman read out the comments from Mr Timewell in support of the application, who although unable to be present for this meeting, had attended the site inspection.

Members were supportive of the application especially in terms of rural diversification. They were pleased to be informed that the applicant had worked well with the planning staff and the application, including its location had been developed with their advice particularly with regard to the landscape and distances between the pods. They also considered that the design and materials for the pods were acceptable. They were not insensitive to the concerns of the residents about the extra traffic movements but considered that these were not sufficient to justify refusal, particularly given the support of the Highways Officer. They were concerned about the safety measures with regard to the use of canoes and the proximity to the water, that these were paramount and therefore considered that an additional condition to any approval would be required to cover these. They also considered that a condition relating to the storage of bikes and canoes be included bearing in mind the impact on the landscape and the need to reduce any form of clutter being introduced on site.

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

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report with two additional conditions to cover safety –lifesaving

equipment, and the storage of bicycles and canoes off site. In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with the National Planning Policy Framework and Policies DP1, DP2, DP4, DP11, DP14, DP15 and DP28, as the development is considered an appropriate form of farm diversification protecting rural employment, with no significant adverse impact on the landscape, neighbouring amenity, highway network or ecology subject to the recommended conditions.

- (4) **BA/2017/0747/FUL 21A Church Close, Chedgrave**
Construction of Two New Dwellings and Associated Hard and Soft Landscaping
Applicant: Brian Sabberton Limited

The Planning Officer provided a presentation on the application to construct two new dwellings of one and a half storeys in an area of 0.25 ha currently forming part of the garden of 21A Church Close in Chedgrave comprising mown grass and trees protected by Tree Preservation Orders and a pond. It was emphasised that the site was outside the development boundary and adjacent to the Loddon and Chedgrave Conservation Area. Planning permission was being sought on the basis that one of the dwellings would be a “self-build” property and the other would be developed as a “custom build”.

The Planning Officer referred to the representations received, the majority of which objected on the basis of the site being outside the development boundary, adverse impact on residential amenity, only one dwelling would be self-build and there was no need in terms of identified housing need. Since the writing of the report three further representations had been received adding to those comments already received as well as clarification from the agent as to why both properties should be self-build and custom build.

In assessing the application the Planning Officer took account of the main issues relating to the principle of the development, the design and materials, the highways impact, impact on landscape and trees, ecological impact and impact on residential amenity. The most significant issue was that of the principle of the development. Being outside the development boundary the application was contrary to Policy DP22 of the Development Management Policies and Policy CS24 of the Core Strategy. The Planning Officer emphasised that based on the figures in the Objectively Assessed Need (OAN) for the Central Norfolk Housing Market Area, there was no need for additional open market housing development within the current Local Plan period 2015 – 2036. The allocation need had already been exceeded by 12.9%.

The site was not allocated as a residential site within the new Local Plan or included in an amended development boundary. The Planning

Officer provided details on the definition of self-build and custom-build as defined in the Housing and Planning Act 2016 and considered that only one of the proposed dwellings fitted the appropriate criteria. It was considered that on the basis of the figures available in relation to the requirement for and delivery of such units within the Broads Authority's Executive Area there was no urgent need to warrant granting permission contrary to Local Plan policy requirements.

The Planning Officer concluded that although the site was considered to be in a sustainable location and other aspects of the proposals were in accordance with policy, in this instance there were no material considerations justifying granting permission contrary to Development Plan Policies. Therefore refusal was recommended.

Members gave very careful consideration to the arguments for self-build, asking for a number of clarifications. It was noted that the self-build legislation recognised circumstances where land supply was limited, as in the case of the special characteristics of the Broads area and enabled an LPA to apply for an exemption, which the Authority had done, with the decision awaited. It was appropriate for people to register for self-build but this did not mean that this could become an application which should automatically be approved. It did not trump any other considerations. Self-Build was an emerging policy and it was considered that the Authority would satisfactorily comply with the requirements and responsibilities under the Self-Build and Custom Housebuilding Act within the required period.

Mr Bootman on behalf of the applicant commented that the application for two self-build dwellings was unusual and possibly unique in the Broads area as it lay within the heart of the large settlement of Chedgrave, in Flood Zone 1 and in a location where the development could take place without harm to other properties. It was probably for this reason that it was included in the development boundary when the current owner purchased the property in 1979. Considering the self-build nature of the proposals, in order to boost the provision of self-build homes, all Local Planning Authorities were required to monitor this and ultimately to grant sufficient consents to satisfy demand in their area. The Broads Authority was not exempt from the legislative position. If the Authority was on track to fulfil its obligations, and some progress had been made, this still left 36 to be granted within 18 months. He referred to para 50 of the NPPF and para 159 of the planning policy guidance and the requirements of LPAs. He addressed the recommendations of the officers, noting that Policy DP22 lacked consistency with the NPPF, and that the Development Management policies were adopted prior to the Self Build and Custom Build Housing Act. He referred to Para 14 of the NPPF where there was presumption in favour of sustainable development and the criteria for plan making and decision making. He also referred to a number of appeals relating to refusals for self-build outside the development boundary that had been allowed within South Norfolk and the reasons for doing so, details

of which had been submitted with this application. He commented that the application could not be refused on principle alone. He urged members to recognise the unique circumstances in this highly developed area, to avoid the risk of appeal and to grant planning permission.

Members were mindful that there had been a number of recent appeal decisions within the Broads area where the question of harm had been given considerable weight in the Inspector's decision and appeals allowed on the basis of absence of "harm". They recognised that it was necessary to balance the various arguments. Members considered that the proposed development and the emerging policies posed complex issues for consideration. They were mindful of the comments and objections received and accepted that this was an unusual case requiring fine judgement. They gave careful consideration to the development boundary and the context of the site, and the exact locations of the new build, noting that they would be contiguous but on the wrong side of the development boundary. They also noted the additional justification as to why they considered that the second house was custom build.

The Chairman stated that the arguments were very finely balanced. The application was clearly outside the development boundary and therefore the issue was whether granting permission for building outside the development boundary would create sufficient harm as to warrant refusing the application taking account of the arguments put forward.

The Chairman put the officer's recommendation of refusal to the vote. Only one member voted in favour of the Officer's recommendation in the report.

The Chairman put the alternative to grant planning permission, given the unusual set of circumstances in this instance

It was RESOLVED by 4 votes to 1 with 3 abstentions:

- (i) that planning permission be approved subject to appropriate conditions to include:
 - Standard time limit for commencement
 - In accordance with submitted plans and supporting documents
 - Materials and Design
 - In accordance with arboriculture report
 - Landscaping to include retention of the hedge, scheme for landscaping to be undertaken in the next planting season and replacement of any plants
 - Ecology
 - Highways

Members requested that officers impose other conditions as required and appropriate for a development of this type in accordance with usual practice.

- (ii) that the application would need to be advertised as a departure from policy in accordance with the required procedures.

Reason for Decision being contrary to the Officer's recommendation:

Although the site is outside the development boundary and therefore would be contrary to Policy DP 22 and CS 24, Members did not consider that there would be such a level of harm to justify refusal in view of the fact that the proposal satisfies other development plan policies, is considered to be in a sustainable location and the material considerations outweigh the departure from development plan policy.

In the opinion of the Local Planning Authority the proposed development although outside the development boundary, is considered to be in accordance with Development Management Policies DP4 – Design, DP11 – Access, DP2 – Landscape and Trees and para 115 of the NPPF, Policy DP1 – Ecological impact, Policy DP28 – Residential amenity.

- (5) **BA/2017/0454/COND Hoveton Marshes, Horning Road, Hoveton**
Variation of condition 2: approved plans, and removal of conditions 7: ramp sections, and 9: archaeology of permission BA/2014/0407/FUL
Applicant: Natural England

The Planning Officer provided a presentation on the proposal to vary and remove three conditions relating to application BA/2014/0407/FUL concerning the approved plans, ramp sections and archaeology on the Hoveton Marshes. The application related to three areas and proposed amending an approved canoe trail to a boat trail, using traditional dredging techniques in place of mud pumping, amending the slipway and staithe structures, omitting the approved de-watering lagoon and removing the need to submit further details of a ramp. There had been no change in local or national planning policy since the original permission which remained extant. It was therefore not necessary or appropriate to reconsider the principle of the overall scheme. The Navigation Committee would also be considering the proposal at their meeting on 22 February 2018. The recommendation was therefore subject to consideration of any additional responses and comments that may be raised subsequently.

Since writing the report, further representations had been received from Hoveton Parish Council who had no objections and the Environment Agency who had no comments.

The Planning Officer explained that an aim of the project was to provide access and enhance understanding and enjoyment of the marshes. The amendment from creating a canoe trail to be used by several vessels to providing a trail for one vessel was aimed at encouraging a greater section of the community to partake of the experience of the improved habitat and appreciate the landscape and wildlife value of a previously inaccessible area. The route would also be amended to go around the outside of the marsh rather than through it, resulting in less disturbance to part of the marshes and therefore limiting habitat fragmentation. The boat would be able to make a greater number of trips per day but it was considered that one boat rather than up to a total of seven canoes could result in less noise and would also be easier to manage. The sediment removal and amending the slipway and staithe structure were also not considered to result in any additional or unacceptable ecological, landscape or amenity impacts. As the dewatering lagoon was no longer required the associated requirements for archaeological investigations would not be necessary. Therefore it was considered that the variation of condition 2 and removal of condition 9 were acceptable. With regard to details for the changes to the levels to provide a ramp it was considered that these would still be required and therefore it was proposed that Condition 7 should remain. In conclusion, the Planning Officer recommended approval as stated above subject to the conditions set out in the report, including re-statement of the conditions as required in the original permission.

Mr Wood for the applicant reinforced the comments from the Planning Officer about the reasons for changing the trail and its use from several canoes to one boat. It was anticipated that this would enable a wider audience to visit the site and it would be more ecologically acceptable. The type of boat would be consistent with the habitat and other similar sites where ecological trails were operated within the Broads. It would be similar to that operated at Bewilderwood, although Hoveton Estates would be operating it.

Members welcomed the amendments considering they would provide greater inclusivity by offering the experience of the area to a wider range of visitors and they concurred with the officer's assessment. They were concerned that commercial activities should not overtake the ecological purposes of the site and reinforced the need for the condition requiring the specification of the type and size of the boat to be used.

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

RESOLVED unanimously

that subject to any further consultation responses which may be received and the views of the Navigation Committee, the proposal to vary condition 2 and remove condition 9 is therefore acceptable, but

condition 7 should be varied not removed and subject to retention of all other conditions appropriately re-worded to amend the word 'canoe' to 'boat' and reflect the fact some pre-commencement conditions have already been discharged.

In the opinion of the Local Planning Authority, the proposal is acceptable in accordance with Policies CS1, CS6, CS9, CS11, CS17 and CS20 of the adopted Core Strategy (2007), Policies DP1, DP2, DP3, DP4, DP5, DP11, DP12, DP14, DP28 and DP29 of the adopted Development Management Policies (2014) and the National Planning Policy Framework and it is not considered the proposal would result in any significant environmental effects.

(6) BA/2017/0068/FUL Broadland Hoarding Solutions, 19 Station Road, Reedham Office extension, new boathouse and replace existing boathouse

Applicant: Mr David Grint

The Planning Officer provided a presentation on the proposal for a development in three phases involving an extension to provide an office, a new boathouse and to replace the existing boathouse on a site of approximately 0.61 hectares on the former Corvette Marine boatyard now occupied by Broadland Hoarding Solutions. The first phase involving the provision of an office extension would also include the subsequent removal of the portakabins. The second phase involved the provision of a new single storey boathouse to include a small reception area, mess/office and toilet. The third phase involved the replacement of the existing boatshed. The proposals also included retention and completion of a high close boarded timber fence.

Since the writing of the report comments had been received from the Internal Drainage Board confirming that it was not responsible for the associated ditch. The Environmental Protection Officer had responded that any planning permission granted should contain appropriate additional conditions to cover aspects relating to contamination.

The Planning Officer addressed the main issues in relation to the application concerning flood risk, design, amenity, biodiversity, landscape and pollution. She concluded that the application could be recommended for approval subject to careful and appropriate conditions particularly relating to the management of the development in the interests of flood safety and protecting amenity.

Members expressed concerns about the height of the fence to the rear of the site, which was over 2m tall, but were advised that the occupiers of the neighbouring property welcomed the screening it provided.

Although the report recommended that it would be prudent to serve an Enforcement Notice requiring the removal of the portakabins by the end of 2018 or to coincide with the implementation of Phase 1, the

Solicitor commented that, there was no material change of use, and the matter was better managed through a planning condition.

Members welcomed the proposals to provide continued commercial use of the site with associated employment. The proposals also indicated clear attempts to tidy and improve the standard of the site. They concurred with the Officer's assessment and that approval be accompanied by tight conditions.

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

RESOLVED unanimously

that the application be approved subject to the conditions outlined in the report relating to phasing and operation to manage the development in the interests of flood safety and protecting amenity as well as biodiversity, landscaping and parking.

Subject to the conditions, in the opinion of the Local Planning Authority, the proposed development is acceptable in accordance with Policies CS1, CS9, CS20, CS22 and CS23 of the adopted Core Strategy (2007), Policies DP1, DP2, DP3, DP4, DP11, DP20, DP28 and DP29 of the adopted Development Management Policies (2014) and the National Planning Policy Framework which is also a material consideration in the determination of this application

- (7) **BA/2017/0496/FUL Pumping Station, Low Road, Strumpshaw**
Works to chimney, the engine house, moving of irrigation pump and landscaping in the area
Applicant: Ms Sarah Burston for RSPB

The Planning Officer provided a presentation on the proposal by the RSPB to undertake works to the chimney and engine house of the locally listed pumping station on the Strumpshaw RSPB reserve, to move the irrigation pump and landscape the area. This was one of the first applications as part of the Water Mills and Marshes project. The proposal also included the installation of interpretation that was particularly welcomed.

Since the writing of the report comments had been received from the Parish Council and Natural England both of which had no objections. The Environment Agency had no objections but required that the Authority should be satisfied that the proposals passed the Sequential Test and appropriate flood response plans were in place. The Planning Officer confirmed that Officers were satisfied.

The Planning Officer concluded that the proposal sought to improve the condition and longevity of an historically significant building in the Broads and that the methods to be employed were appropriate. The development was welcomed and it was recommended for approval

subject to conditions as listed in the report plus a further one covering a flood evacuation plan as required by the Environment Agency.

Members fully supported the application as part of retaining and improving the heritage assets of the Broads. They welcomed the proposals.

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

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report including conditions on the timing of the works and flood evacuation plan. The proposal is considered to be acceptable in accordance with Policies DP1, DP2, DP4, DP5, DP11, DP27, DP28 and DP29 of the adopted Development Management Policies DPD (2011), the National Planning Policy Framework (2012) and the general ethos of the Strumpshaw Neighbourhood Plan (2014) which is a material consideration in the determination of this application.

- (8) **BA/2017/0475/FJUL Griffin Lane, Thorpe St Andrew, Norwich**
Replacement boatshed
Applicant: Broads Authority (Daniel Hoare)

The Planning Assistant explained that the application was before the Committee as it was a Broads Authority application. The Solicitor and Monitoring Officer had examined the procedures and was satisfied that the proper procedures had been followed in the same way as for any other applications. The Planning Assistant provided a presentation of the application for a replacement wet boatshed on a like for like basis at the Authority's Dockyard site accessed by Griffin Lane. He explained that the building would provide a continuation of the existing use but in a purpose built structure. There would be no intensification of the use of the site therefore no impact on the local highway network, no detrimental impact on the surrounding landscape or flood risk. The Planning Assistant therefore recommended the proposal for approval.

Members concurred with the Officer's assessment.

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

RESOLVED unanimously

that the application be approved subject to appropriate conditions as outlined within the report. In the opinion of the Local Planning Authority the development is acceptable in respect of Planning Policy and in particular in accordance with policies DP2, DP4, DP18 and DP20 of the Development Management Policies DPD (2011) and TSA3 of the Site Specific Policies DPD (2014), as the development is considered an

appropriate form of development, with no detrimental impact on employment, landscape or flood.

7/9 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. Further updates were provided for:

- (i) **Burghwood Barnes** – Members noted that the appeal against the Enforcement notice had been dismissed, with the Notice varied to extend the period for compliance to six months. Therefore compliance was required by 9 July 2018. Officers would be visiting the site on 10 July 2018. The Head of Planning further reported that a number of conditions on previous consents had not been complied with. Officers would be inviting the landowners in to the office to discuss and explain in detail what would be required to achieve compliance with aspects relating to the appeal decision as well as the previous consents, bearing in mind the seasonal limitations and the impacts on ecology. Members requested an update for the next meeting.

The Local Member informed the Committee that his advice had been sought through Filby Parish Council. He had responded that it would not be appropriate for him to pass any judgement only that the landowner needed to comply with the permissions and to speak to the Head of Planning.

The Chairman referred to the disappointing article in the press but was reassured by the comments on social media that were more supportive of the Authority. Those interested should contact the Communications Officer (Digital and PR) (Tom Waterfall).

- (ii) With reference to the non-compliance with planning condition at **Barnes Brinkcraft** resulting in encroachment into navigation, the Head of Planning reported that the Head of Ranger Services had met with the owners of Barnes Brinkcraft on 1 February 2018 and a potentially acceptable scheme to the navigation officers was agreed revolving around a restriction on the way in which vessels could be moored to the pontoons together with a restriction on the length. Officers were awaiting further details from the company. It would be necessary for a planning application to be submitted accordingly and this would be brought to the Planning Committee, potentially in April, following consultation with the Navigation Committee.

The Head of Planning commented that with regards to safety and the requirements to maintain the appropriate width of the navigation channel, compliance would be expected in association with the scheme agreed with officers. It was noted that this would need to be monitored.

In response to the concerns mentioned at Minute 7/3, the Head of Planning explained that her understanding was that the navigation officers were satisfied that the extent of the mooring of the barge did not represent such an intrusion into the navigation for it to be unacceptable. The fact that the barge had been removed did not change that view. Members were concerned about potential precedent. The Head of Planning undertook to clarify the situation with the Head of Rangers and report back to the Committee.

There were no further updates to report.

RESOLVED

that the report be noted.

7/10 Duty to Cooperate: Norfolk Strategic Planning Framework – Official Endorsement and Norfolk Strategic Planning Member Forum – Terms of Reference

The Committee received a report setting out the proposals relating to Duty to Cooperate under the Norfolk Strategic Planning Framework (NSPF), for dealing with the strategic matters to be taken account of in the production of Local Plans by the constituent Norfolk LPAs and the procedures involved to do so. It was noted that the NSPF had been the subject of consultation and subsequently amended. The NSPF Member Forum had agreed new terms of reference and was recommending that all LPAs endorse the NSPF.

RESOLVED

- (i) That the NSPF be endorsed and it be RECOMMENDED to the Full Authority for endorsement.
- (ii) That the Terms of Reference be noted and given the importance of the issue, it was RECOMMEND to Full Authority that the Chairman of the Authority attend the Norfolk Strategic Planning Member Forum on behalf of the Authority.

7/11 Appeals to Secretary of State Update

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since May 2017.

RESOLVED

that the report be noted.

7/12 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 14 December 2017 to 22 January 2018.

RESOLVED

that the report be noted.

7/13 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 2 March 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 13.20pm

CHAIRMAN

Code of Conduct for Members**Declaration of Interests****Committee:** Planning Committee**Date of Meeting:** 2 February 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	7/8(8)	Application BA/2017/0475/FUL Replacement Boatshed at Griffin lane, Thorpe St Andrew. Broads Authority application.
Paul Rice		Chair of Broads Society