

# Planning Committee

## Minutes of the meeting held on 10 September 2021

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## **Present**

Tim Jickells – in the Chair, Harry Blathwayt, Stephen Bolt, Nigel Brennan, Bill Dickson, Andrée Gee, Gail Harris, Paul Hayden, James Knight, Michael Scott, Vic Thomson and Fran Whymark

## **In attendance**

Natalie Beal – Planning Policy Officer, Maria Conti – Head of Governance (item 8), Harry Mach - Carbon Reduction Project Manager (item 11), Sarah Mullarney – Governance Officer, Cheryl Peel – Senior Planning Officer and Marie-Pierre Tighe – Director of Strategic Services

## **1. Apologies and welcome**

The Chair welcomed everyone to the meeting.

**Apologies** were received from Melanie Vigo di Gallidoro and Leslie Mogford.

### **Openness of Local Government Bodies Regulations 2014**

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting.

## **2. Declarations of interest and introductions**

There were no additional declarations of interest to declare.

## **3. Minutes of last meeting**

The minutes of the meeting held on 13 August 2021 were approved as a correct record and signed by the Chair.

## **4. Matters of urgent business**

There were no items of urgent business.

## **5. Chair's announcements and introduction to public speaking**

No members of the public had registered to speak.

## **6. Requests to defer applications and/or vary agenda order**

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

## **7. Applications for planning permission**

There were no applications for consideration.

## 8. Code of Practice for Members on Planning Committee and officers

The Head of Governance (HG) introduced the report, which sought members' views on a revised Code of Conduct for Members on Planning Committee and officers, prior to it being recommended for adoption by the Authority on 24 September 2021. The Code had been updated following the adoption of a revised Member Code of Conduct in July. It was also proposed to retitle the document "Code of Practice for members on Planning Committee and officers".

The HG explained that it was a supplementary document to the Member Code of Conduct and provided specific guidance relating to the Authority's planning function. Information already in other governance documentation had been replaced with links to those documents and other amendments had been made for clarity.

A member suggested the word 'briefing' be replaced with 'training' at section 8.2 of the document. Members discussed the different practices at the Local Authorities (LA) in regards to member Planning training. A member asked if the Authority could certify the training LA appointed members had received from their respective Authorities where the training related to national policy and legislation, so that these members did not have to do the same training twice. However, it was noted that all members also required specific training on Broads Local Plan policy. Members also noted that the word 'regular' was ambiguous. A member suggested that planning training be offered at least once a year.

The Director of Strategic Services said officers would review whether the Authority could certify LA planning training. She also said flexibility was needed as there would be occasions when training may be needed more than once a year.

It was proposed by Tim Jickells, seconded by Michael Scott, and **unanimously resolved to amend the wording of 8.2 to: "Regular update training will be undertaken by all members at least once a year."**

It was also suggested that the document title be revised to 'Code of Practice for members of the Planning Committee and officers.'

It was proposed by Gail Harris, seconded by Andree Gee and **unanimously resolved to recommend that the Broads Authority adopt the revised 'Code of Practice for members of the Planning Committee and officers' with the amendments provided by the Planning Committee.**

## 9. Enforcement update

Members received an update report on enforcement matters previously referred to the Committee.

Further updates were provided for the land at Beauchamp Arms. It was reported that the Broads Authority was working with partner authorities concerning the site based on further

advice received. New Planning Contravention Notices were served on 7 September 2021 and the prosecution was withdrawn on the same date.

Vic Thomson declared an interest as a District Councillor for the area.

It was clarified that the date for the first bullet point in each enforcement entry in the report referred to the committee date which is specified in the first column. Other missing dates will be included for clarity.

**The report was noted.**

## 10. Recreation Impact Avoidance and Mitigation Strategies – Norfolk and Suffolk Coast

The Planning Policy Officer (PPO) introduced the report, which provided background on the payment of a tariff in Suffolk and potentially in Norfolk to fund measures to help mitigate the impacts of recreational activities arising from development.

The PPO clarified that as a local planning authority, the Broads Authority would charge the Norfolk tariff, when in place, and the funds would be collected in a central pot. The Suffolk Coast scheme was in place. The money pooled as a result of both schemes would be spent in response to the cumulative impact of growth in the area. Governance arrangements were still to be finalised. The Suffolk scheme charged a £300 tariff per dwelling; the proposed tariff for Norfolk would be £180 per dwelling.

Members queried the disparity between the Suffolk Coat tariff and the proposed tariff for Norfolk. It was explained that the Suffolk tariff was calculated based on the cost of the mitigation package required for the area and divided by the number of planned dwellings. The Norfolk tariff had been calculated in the same way.

Members discussed how and where the funds would be spent in Norfolk. A member commented that the recreation activities of visitors to Norfolk were being subsidised by the householders in the area. The PPO responded that the scheme was likely to be repeated in other areas so this would also apply to Norfolk residents visiting other areas. In response to a member question, the PPO said a percentage of the funds received could be spent locally, however a bigger percentage would be spent where it was strategically needed to respond to the growing impacts of developments. The local authorities involved in the scheme would receive regular feedback reports to show how the collected money was being spent.

A member commented that applicants were given an opportunity to mitigate their own impact, however said if they paid the tariff there was no line of sight between where the money was collected and where it was being spent. The PPO noted member comments on the local distribution of funds and said this had also been raised at the Norfolk Strategic Planning Member Forum.

A further update would be presented to members when the Norfolk scheme was ready to adopt and when more was known about the governance arrangements.

## **The report was noted.**

The Committee adjourned at 10.51am and reconvened at 10.55am.

## **11. Local Plan Issues and Options – bite size pieces**

The Planning Policy Officer (PPO) introduced the report which provided members with some sections of the emerging draft Issues and Options stage of the Local Plan, as part of the review of the Local Plan, and inviting members' thoughts and comments. The areas covered were: (i) policy context; (ii) Indices of Multiple Deprivation Topic Paper; (iii) climate change; (iv) existing policies; (v) policies covering areas for change and (iv) duty to cooperate.

It was reported that the outcome of the consultation for the sustainability appraisal objectives would be reported at the October Planning Committee meeting.

### **Policy context**

Appendix 1 of the report listed areas for consideration when reviewing the Local Plan.

The PPO highlighted the issue about having two different definitions for major development. One definition is specified in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (development of 10 dwellings or more etc), and the second definition is introduced in the National Planning Policy Framework, in particular paragraph 177 and footnote 60, and applies to protected landscapes. In protected landscapes, a major development is described as a scheme that affects the landscape, without being specific about a number of dwellings for example.

Members discussed the differing definitions in relation to applications in the Broads. It was clarified that for the Broads, the second definition of major development in relation to protected landscapes is set out in DM1 of the current Local Plan for the Broads. The Chair concluded that members needed to be mindful of the two definitions of major development.

A member commented that the East Inshore and Offshore Marine Plan was currently under review and expected to be replaced in the next couple of years following recommendations made by the Marine Management Organisation.

A member noted reference to woodland cover increasing in the section on the National Parks Circular. He suggested that the notion of improving carbon storage be a vehicle for preserving peat as well as trees. Another member added that the navigation impact of planting trees also needed to be considered. The PPO confirmed the Local Plan included a policy on peat and that the reference to trees was a direct quote from the Circular.

### **Indices of multiple deprivation**

The Deprivation Topic paper had been updated to reflect the 2019 data. It was an evidenced based document and outlined the actions of the Broads Authority and other Local Planning Authorities in addressing deprivation. It was reported that Layer Super Output Area (LSOA) number 32 was consistently rated as deprived. Great Yarmouth Borough Council had been contacted about the issue and provided some context.

In response to a member question, the PPO said the LSOA were drawn to a similar population size which may encompass large areas of land where people didn't live. She explained that other local authorities had functions that would allow them to explore why certain areas were deprived and hopefully react.

### **Climate change**

It was noted that there were multiple policies in place that addressed climate change.

Reference to source of heating was part of the Issues and Options climate change section and it was suggested that a hierarchy of heating preferences be used, with oil being the least preferable. The Carbon Reduction Project Manager explained that the recommendations for heating elements were taken directly from the national targets. Issues of construction methods had also been raised in the document.

A member commented that imposing thermally efficient builds could be in contradiction to the retention of vernacular architecture in the Broads, with the latter being given more prominence in the past. Another member remarked that Norfolk Reed thatch was both thermo effective and part of the vernacular and said it should be promoted as a roofing material. The Carbon Reduction Project Manager responded that there was now a better design sense with thermo efficiency builds and sustainably sourced construction materials should to be considered.

The PPO said that a balance was required and the issues would need to be raised when taking the policy forward. She added that dwellings needed to be built to building regulations, which were now much stronger in terms of energy efficiency. However, if a design and construction policy was implemented the PPO would work with the Authority's Historic Environment Manager to develop this.

A member observed that sea level rise was not listed as an impact of climate change in the report. He noted the challenge of this on the Broads area and the impact it would have on planning decisions made by the Broads Authority in the future. The PPO noted the comment and said local aspects of climate change would be included as part of the final draft. A member also suggested that floating infrastructure be considered as a means of adapting to rising water levels.

Members discussed rollback initiatives that had been developed on the North Norfolk coast and in Suffolk. A member said the Broads Authority needed to consider its own rollback planning policy in regards to inland properties/businesses potentially being made unsustainable as a result of climate change. It was noted that the Local Plan for the Broads was a long-term plan so needed to cover these impacts.

### **Existing policies**

Views on the current adopted policies would be sought from the public and stakeholders as part of the Local Plan review process.

In regards to 'DM12: Re-use of Historic Buildings' a member commented that the original purpose of many historic buildings may no longer be viable and a change in use may be

required in order to protect the heritage assets. It was added that an approach that didn't require public funds would be helpful. The Chair said that this was an issue also raised by the Authority's Heritage Asset Review Group.

### Sites allocated for change

Members were asked to comment on the areas identified for change.

In response to a member observation, the word 'potential' would be removed from the policy direction for 'HOV3, Brownfield land off Station Road, Hoveton'.

A member noted that 'BEC1, former Loaves and Fishes, Beccles' had been derelict for some time and said it was time for stakeholders to be proactive in developing a plan for the prominent site. Another member commented that it was aspirational to see another pub on the site given the current economic climate. The PPO reported that Beccles Town Council had been contacted for an update and she would contact the landowner about the site.

### Duty to cooperate

The section outlined how the Broads Authority worked with others local authorities to address strategic issues across boundaries.

A member observed that the issue of climate change and sea level rise needed to be addressed across all authorities and was not an issue the Authority could respond to alone.

**The Committee's responses on the bitesize pieces presented were noted.**

## 12. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to two planning policy consultations recently received: one from Fleggburgh Parish Council seeking comments on its Neighbourhood Plan prior to submission to an Examiner and the other from Norfolk County Council and Great Yarmouth Borough Council seeking comments on their Great Yarmouth Local Cycling and Walking Infrastructure Plan.

The Planning Policy Officer explained that there was a proposed objection to the wording concerning habitat loss in the Fleggburgh Neighbourhood Plan. The objection was supported by the Authority's Senior Ecologist and the Ecology and Design Supervisor.

**It was resolved unanimously to note the report and endorse the proposed responses.**

## 13. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting.

The decision notice for the appeal concerning Blackgate farm had been shared with members. The Senior Planning Officer confirmed that the enforcement notice was upheld with corrections and variations, and the appeal was allowed in part on grounds (c) & (g) in relation to the hard standing. The appellant had a number of deadlines to adhere to in regards to the removal of caravans and some of the hard standing from the site.

It was noted that some appeals listed in the report were still awaiting start dates from the Secretary of State.

**The report was noted.**

## **14. Decisions made by officers under delegated powers**

The Committee received a schedule of decisions made by officers under delegated powers from 31 July to 27 August 2021.

**Members noted the report.**

## **15. Date of next meeting**

The next meeting of the Planning Committee would be on Friday 8 October 2021 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting ended at 11.59

Signed by

Chairman