

Broads Authority
Planning Committee

Minutes of the meeting held on 29 May 2015

Present:

Mr C Gould – in the Chair

Miss S Blane
Prof J Burgess
Mr N Dixon

Mr G Jermany
Mrs L Hemsall
Mr J Timewell

In Attendance:

Ms N Beal – Planning Policy Officer (Items 9 and 10)
Mrs S A Beckett – Administrative Officer (Governance)
Mr A Clarke – Senior Waterways and Recreation Officer (Item 9)
Ms M Hammond – Planning Officer
Mr B Hogg – Historic Environment Manager (Item 9)
Mr T Leader – For Solicitor
Ms A Long – Director of Planning and Resources

Members of the Public in attendance who spoke:

BA/2014/0284/COND Silver Dawn, Horning Reach, Horning

Mr Nick Barrett Applicant

12/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting particularly members of the public.

Apologies were received from: Dr J M Gray, Mr M Barnard and Mr P Warner.

Members noted that Mrs J Brociek-Coulton (NCity) and Mr R Stevens (NNDC) were no longer members of the Authority and would be replaced by Ms G Harris and Mr P Rice respectively. Mr Jermany had been re-appointed by Great Yarmouth Borough Council. The Chairman explained that this would be his last Broads Authority meeting as, although he had been re-elected to South Norfolk Council, he was to be replaced on the Authority by Mr Victor Thomson. He welcomed Mr Rice and Mr Thomson to the meeting as observers and prospective members on the Planning Committee. Their official appointments would be confirmed at the Authority meeting on 10 July 2015.

The Chairman of the Authority, on behalf of all Members and staff thanked Colin for his valuable contribution to the Authority and in particular the Planning Committee over the last eight years.

12/2 Declarations of Interest

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

12/3 Minutes: 1 May 2015

The minutes of the meeting held on 1 May 2015 were agreed as a correct record and signed by the Chairman.

12/4 Points of Information Arising from the Minutes

None reported

12/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

12/6 Chairman's Announcements and Introduction to Public Speaking

(1) Design Quality Tour – 12 June 2015

The Chairman announced that the Design Quality Tour would be held on 12 June 2015 and details would be forwarded to members within the next week.

(2) Parish Forum – Ranworth 17 June 2015

The first of the Parish Forums for this year would be held at Ranworth Village Hall, Broad Road, Ranworth on Wednesday 17 June 2015.

(3) RTPI Conference for Councillors – St Albans District Council Offices

on Friday 19 June. The Chairman recommended this one day conference as an excellent opportunity for Councillors from across the region to meet, share knowledge, and learn effective methods to enhance planning and control. It would be of real importance to councillors relatively new to planning, who may require training, as well as a refresher and update for longer established members. Mrs Hemsall expressed an interest in attending.

(4) 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. No member of the public indicated that they intended to record or film the proceedings.

12/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests had been received.

12/8 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 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/2014/0248/COND Silver Dawn, Horning Reach, Horning**
Proposed variation of conditions 2 and 10 of permission
BA/2012/0056/FUL - amendment to windows to be obscure glazed
Applicant: Mr Nick Barrett

The Planning Officer provided a detailed presentation of the proposals to vary conditions 2 and 10 of a previous planning permission to remove the requirement for obscure glazing on the doors and windows to the first floor bedrooms. The bathroom windows would retain the obscure glazing.

The Planning Officer drew attention to the consultation responses including three representations commenting that the original reasons for the approval had not changed and that the windows and doors to the bathrooms must be obscure glass and bedrooms remain obscure glass. Since the report had been written Horning Parish Council had responded with no comments.

Having provided a detailed assessment against the Authority's policies, particularly Policy DP28 taking account of the main concerns and issues relating to amenity, the Planning Officer commented that it was appropriate to retain the obscure glass for the bathrooms but that for the remainder indicated, it was not considered that there would be an unacceptable cumulative or adverse impact. The proposal was therefore recommended for approval subject to conditions.

In response to Members' questions, the Planning Officer confirmed that the application was not retrospective. Glazing had been installed in all the windows and the obscured nature would be applied later through the application of a film. The obscure glazing for windows and doors had been part of the applicant's original plans and conditioned accordingly but this was not imposed of necessity, but in accordance with the applicant's intentions. These had now changed.

The Solicitor clarified that there was no distinction between a residential dwelling for permanent use and for holiday let as in planning terms they were both Use Class C3. The main test members would need to consider was whether the proposals would interfere with the neighbour amenity/privacy and the potential impact.

Mr Barrett, the applicant, explained that the original plans and drawings had been more of an artistic impression. It was always intended to obscure glaze the bathroom windows. However, due to an omission on his own part in studying the details of the condition relating to the drawings, he wished to amend these. He queried why realistically one would wish to obscure such wonderful open views of the river and marshes beyond, especially for visitors to the area. The Broads relied on such properties being let for holiday purposes to bring income into the area and other properties within the vicinity did not have obscure glazing from bedroom windows. It appeared perverse to apply such a condition.

Members noted that the original Silver Dawn did not have obscure glazing.

Having given the matter detailed consideration, members considered that the proposal would not have an unacceptable impact on amenity. Although not objecting to the application in principle, a member commented that she objected to what appeared to be professional discourtesy to Members of the Planning Committee who had given considerable time to the original application.

Mr Dixon proposed, duly seconded by Mr Jermany and it was

RESOLVED unanimously

that the application be approved subject to detailed conditions as outlined within the report.(including repeated conditions from the application BA/2012/0056/FUL).

The proposal is considered to be in accordance with Policy DP28 of the adopted Development Management Policies (2011) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

12/9 Riverbank Stabilisation and Mooring Guide Consultation Version

The Committee received a report which was aimed at providing the Authority with updated guidance which would form part of the Local Plan Review on Riverbank Stabilisation and Moorings. It was noted that it was intended that the revised guidance would form background evidence and steer the implementation of policies particularly when dealing with planning applications. They were designed to provide clarity and be user friendly. It was emphasised that any works required would be extremely site specific and

therefore the Guides were aimed at promoting the various options available including information on the level of costs. It was clarified that the guides were primarily intended for replacement and repair purposes. The Authority had byelaws to deal with other such matters as “stern-on” moorings and potential problems particularly in hot spots.

It was the intention that the guides would be considered as a Supplementary Planning Document (SPD) and adopted by the full Authority in due course. Therefore, the new drafts would need to be the subject of consultation and as a first step would be presented to the Navigation Committee on 4 June 2015 prior to being sent out for a six week consultation period. They were evidence/guides that would be consulted on to give weight similar to that of an SPD but would not be an SPD.

Members welcomed the standards of the draft guidance and considered that the detail was very valuable in explaining the work of the Authority and in providing an understanding of the care and attention required. It was suggested that there should be reference to the standard and quality expected. It was also considered that there should be a link included to the Climate Change Adaptation Plan. They also considered that it should be emphasised that every location had its own specific merits and requirements.

It was also suggested that with regard to detailed wording in relation to “no impact” on the navigation channel, this should be more specific and expanded to include “no adverse impact” especially in relation to each location.

Members considered that in seeking opinions from the consultation process, these should be obtained from those directly affected. It was considered that the uninformed opinion should not outweigh the informed opinion. Although it was possible to direct the consultation guidance documents to the known landowners, this was often difficult. However, the Authority had an extensive data base covering its many stakeholders many of whom were represented on the Broads Forum and included the IDBs, NFU and CLA.

It was agreed that in addition to the above, any further comments members wished to make should be emailed to the Planning Policy officer and she could then refer to it in the presentation to the Members of the Navigation Committee.

RESOLVED

- (i) that the report be noted and welcomed; and
- (ii) that, subject to comments on the detail of the guides, both guides be approved for consultation over a six week period.

12/10 Brundall Neighbourhood Plan: Proceeding to Publication

The Committee received a report relating to the proposed Neighbourhood Plan submitted to Broadland District Council and the Broads Authority. It was

considered that the submitted plan complied with the criteria set out by Government legislation and could go forward for publication and submitted for independent examination as part of the next stages. Members considered that it was a detailed and impressive document. Mrs Hemsall commended the work of Brundall Parish Council and wished to commend the Neighbourhood Plan to the Authority.

Mrs Hemsall proposed, seconded by Prof Burgess and it was

RESOLVED unanimously

- (i) that the Submission version of the Brundall Neighbourhood Plan (NP) be endorsed and be approved for proceeding to publication (consultation); and
- (ii) that the Chief Executive in consultation with the Chair of the Authority and the Chairman of the Planning Committee be delegated to submit the Brundall Neighbourhood Plan to independent examination on assessment of the comments received after the public consultation ends, subject to no new major issues being raised.

12/11 Enforcement Update

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

The Director of Planning and Strategy reported that the case relating to the **Former Jenners Basin at Thorpe Island** had been considered in the High Court on Tuesday 19 May 2015. The Judge would be issuing his decision within the next few weeks.

With reference to the site at **J B Boat Sales, 106 Lower Street, Horning** concerning the amended scheme for a building, the Committee requested that the approved plans be shown for information at the next meeting.

RESOLVED

that the report be noted.

12/12 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 1 March 2015.

It was noted that the Planning Inspectorate were experiencing severe delays at present.

RESOLVED

that the report be noted.

12/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 21 April 2015 to 18 May 2015.

RESOLVED

that the report be noted.

12/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 26 June 2015 at Yare House, 62- 64 Thorpe Road, Norwich.

It was intended to provide members with a presentation on the Generation Park – Utilities Site proposals following consultations and prior to the submission of the final application, starting at 9.30am. It was emphasised that the proposals were still at pre-application stage.

Therefore it was agreed that the formal meeting of the Planning Committee would be at **10.30am.**

The meeting concluded at 11.17am

CHAIRMAN

Code of Conduct for Members**Declaration of Interests****Committee:** **Planning** 29 May 2015

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Lana Hemsall	12/8(1)	Application BA/2014/0248/COND Lobbied by objectors on a previous application at this site, but not received any on this application.
George Jermany	General	Toll payer