

Planning Committee

AGENDA

Friday 28 June 2019

10.00am

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|---|--------|
| 1. To receive apologies for absence and introductions | |
| 2. To receive declarations of interest | |
| 3. To receive and confirm the minutes of the previous meeting held on 31 May 2019 (included) | 3 – 12 |
| 4. Points of information arising from the minutes | |
| 5. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

6. **Chairman's Announcements and Introduction to Public Speaking**
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
7. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
- (i) BA/2018/0375/CU Workshop building, Gillingham Dam, Gillingham

13 – 26

ENFORCEMENT

9. **Enforcement Update** 27 – 28
Report by Head of Planning (included)

POLICY

10. **Consultation Document and Proposed Response:** 29 – 34
Consultation documents received from North Norfolk District Council
Report by Planning Policy Officer (included)
11. **Filby Neighbourhood Plan – Designating Filby as a Neighbourhood Area** 35 – 37
Report by Planning Policy Officer (included)

MATTERS FOR INFORMATION

12. **Appeals to the Secretary of State Update** 38 – 39
Report by Administrative Officer (included)
13. **Decisions made by Officers under Delegated Powers** 40 – 42
Report by Head of Planning (included)
14. **To note the date of the next meeting – Friday 19 July 2019 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY**

Broads Authority

Planning Committee

Minutes of the meeting held on 31 May 2019

Present:

In the Chair - Mrs M Vigo di Gallidoro

Prof J Burgess
Mr W A Dickson
Ms G Harris

Mrs L Hempsall
Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms N Beal – Planning Policy Officer (for Minute 10/10 and 10/11)
Mr B Hogg – Historic Environment Manager (for Minute 10/12)
Mr J Ibbotson – Planning Officer (up to and for Minute 10/8(ii) and Minute 8(iii))
Mr C Pollock – Planning Assistant (up to and for Minute 108(i))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the public in attendance who spoke:

**Application BA/2019/0071/FUL Morrisons, George Westwood Way
Beccles**

Ed Kelmsley On behalf of applicant

**Application BA/2019/0058/FUL Land West of Bewilderwood Car Park,
Hoveton**

Fergus Bootman On behalf of applicant

10/1 Apologies for Absence, Welcome and Housekeeping Matters

The Chair welcomed everyone to the meeting.

Apologies had been received from Bruce Keith.

The Openness of Local Government Bodies Regulations

The Chair gave notice that the Authority would be recording the meeting in accordance with the Code of Conduct, with the Authority retaining the copyright. No other member of the public indicated that they would be recording the meeting.

10/2 Declarations of Interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

10/3 Minutes: 26 April 2019

The minutes of the meeting held on 26 April 2019 were agreed as a correct record and signed by the Chair.

10/4 Points of Information Arising from the Minutes

Minute 9/10 Local Plan for the Broads

The Chair confirmed that the Broads Authority had adopted the Local Plan for the Broads at its meeting on 17 May 2019 and this would now be used in the determination of planning applications within the area. The Head of Planning explained that in the interests of conforming to electronic government, only a limited number of Local Plans had been published in paper form. It was hoped that Members would be content with accessing the Local Plan and its detailed planning policies on line. If a member specifically required a hard copy, please could they contact the Head of Planning.

10/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

10/6 Chairman's Announcements and Introduction to Public Speaking

Public Speaking

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wished to speak were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented.

10/7 Requests to Defer Applications and /or Vary the Order of the Agenda

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

10/8 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990 (also having regard to Human Rights), and reached the decisions 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 officer's report, and which were given additional attention.

- (1) **BA/2019/0071/FUL Morrisons, George Westwood Way, Beccles**
Proposed café and lobby extension, new trolley bay and minor works to car park.
Applicant: Mr D Darbyshire (on behalf of Morrisons)

The Planning Assistant gave a detailed presentation and assessment of the application which involved a number of extensions to the existing store to provide a new customer café with an uncovered outdoor seating area and kitchen, and a new entrance lobby. The application also included updated lighting across the site, a new shopping trolley shelter to the south of the store entrance, a car pick-up point and a footpath through the site.

The Planning Assistant concluded that the proposal could be recommended for approval subject to conditions. The principle of the scheme was acceptable; the design was appropriate for a commercial site, the development would not be detrimental to the employment uses on the site and the adverse impact on the immediate landscape would be mitigated through the implementation of a hard and soft landscaping scheme, which would be required by condition. The development would not have a detrimental impact on neighbouring amenity. He explained that the proposed condition for the removal of the roof tiles by hand was in order to provide necessary protection to any wildlife. Overall, the proposal was considered to be in accordance with development plan policy.

On behalf of the applicant, Mr Kemsley clarified that the proposed lighting would involve replacing the existing with a more sustainable and energy efficient product following advice from Morrisons' own ecologist and consultation with the Authority's officers, to ensure that it would not impact on the ecology of the area. The proposed footpath was designed to provide a link across the site particularly for store staff. He explained that the application was part of a £4 million investment for a wider refurbishment of the store to become more efficient.

A member considered that the application did not constitute a major application and that it would have been more efficient to have been dealt with under delegated powers. The Planning Assistant explained that the application was defined as major due to the site being over 1 hectare. The Head of Planning emphasised that under the scheme of delegation, applications that were classed as major had to be brought to the Committee. There was no mechanism by which it could have been dealt with otherwise. Other members commented that given the history of the site, it was important that the Committee considered the application.

Members fully supported and welcomed the application. The proposals were kept within the existing site, it would not be intrusive in landscape terms and would improve the viability and value of the site.

Lana Hemsall proposed, seconded by Jacquie Burgess and it was
RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report. The scheme is considered to be consistent with development Policies DM43, DM26, SP7 and DM21 of the adopted Broads Local Plan 2019.

(2) **BA/2019/0058/FUL Land West of Bewilderwood Car Park Site, Hoveton**

Change of use of agricultural land to ten-pitch camp site and the erection of a new washroom block to serve the site. (Scheme amended to revise washroom provision.)

Applicant: Trustees of the Hoveton Estate

The Planning Officer explained that the application was before Members as there had been significant objections.

The Planning Officer provided a presentation on a slightly amended proposal to replace an area of agricultural land currently managed as mown grassland bound by hedges and trees, with a camp site with 10 pre-erected tents/glamping pods and two permanent structures to contain a washroom, shower and toilet block. The site was adjacent to the Bewilderwood visitor attraction and although part of the Hoveton Estate, it would be managed separately by Amber Bell Tents. It was emphasised that the access and car park would be the same as that for Bewilderwood. There was no direct vehicular access to the proposed camp site. Although the site location on the plans for the tents were fixed, the actual tents were not permanent. This was to allow for flexibility in the future. The wash block and the shower and toilet units were fixed as they were to be connected to the mains sewerage. These had been amended, as they had originally been proposed to drain to a package treatment plant, but this had not met the requirements of the Environment Agency. It was explained that there was no vehicular access to the site by Palmers Lane which was a restricted byway limited to horse, cycle and pedestrian access. Any changes to access would require a new application. The aim of the scheme was to provide a low-key facility with all essential equipment provided within the tents. There were no other facilities such as bar etc due to the facilities within the nearby settlements.

In providing the assessment, the Planning Officer addressed the objections from the neighbour on Horning Road in detail. The Planning Officer accepted that the proposed development would have some

impact on the landscape, habitat and amenity of neighbours, but on balance, he concluded it was acceptable. The site would be well screened and have a minor impact. With particular reference to sustainability, tourism, biodiversity, amenity, design and highways, the application was in accordance with the policies within the adopted Local Plan 2019 and was recommended for approval subject to conditions.

Fergus Bootman on behalf of the applicant commented that the scheme was intended to be small scale and being immediately adjacent to Bewilderwood, well connected with other facilities in the nearby settlements, which themselves would benefit from increased spend from the visitors. He confirmed that access for emergency vehicles would not be a problem and to prevent cars accessing the site, especially from Palmers Lane, a locked gate could be installed. Fire safety would be given detailed reference as part of the registering process. He confirmed that the land to be used for the site formed part of the Hoveton Estate and had not been farmed for decades. It could be returned to agricultural use but this would require removing a number of trees. The proposed manager of the site, Amber Bell Tents, was an experienced operator with other sites in North Norfolk and Shopshire and the company had an agreement in place with the Hoveton Estate. He acknowledged that some work had started on the site for the wash units and that there had been some advertising, the applicant recognising that this was a risk in order to prepare for business in the summer season. However, no operational development had taken place.

Having been satisfied on a number of queries, Members fully supported the proposal, considering it could only benefit the local economy, provide suitable holiday accommodation and recreational development.

Bill Dickson proposed, seconded by Lana Hemsall and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report. The scheme is considered to be in accordance with Policies DM29 and DM30 of the adopted Broads Local Plan 2019.

- (3) **BA/2019/0105/OUT Homestead Farm, Beccles Road, Bungay**
Proposal: Erection of steel framed building to house milking parlour
Applicant: Mr David Utting

The Planning Officer explained this was a major development as it exceeded 1,000 square metres. He provided a detailed presentation and assessment of the outline proposal to erect a large steel framed agricultural building to form a dairy, milking parlour, collecting yard and associated storage and offices. It would form part of an existing

established agricultural holding and business with the aim of improving the efficiency and economic viability of the enterprise, the existing building no longer meeting such requirements. The outline application also included access, layout and scale. As this was an outline application the exact appearance including design, materials and also landscaping details, would be dealt with at the later reserved matters application stage. The site was within the Waveney valley in an area of residential development but with agricultural land-use behind the housing. The main issues for consideration were the principle, impact on the landscape, flood risk as it fell within Flood Zone 3a and was subject to a sequential and exceptions test, residential amenity, highways access and ecology.

The Planning Officer explained that there had been no objections from local residents. He acknowledged that the proposal would have an impact on the landscape. However, on balance subject to conditions requiring a planning application for approval of reserved matters, the proposed scale was considered acceptable. The visual impact in the context of the existing buildings on site was limited and landscaping would provide mitigation. One of the key concerns had been flood risk, but following further investigation and the conclusion that the other available sites were more vulnerable and less suitable, it was considered that the proposal met the sequential and exceptions test set out in the NPPF. A SUDS scheme was being prepared and this would be included within the conditions. He recommended the application for approval subject to conditions.

Members were supportive of the application since the proposed development was within the boundary of an existing agricultural unit and in providing a thriving dairy unit it would also help manage Broads grazing marsh, which would also provide and conform to higher standards of animal health and welfare. Especially when many dairy businesses were going out of business, investment in and improvement of the enterprise was considered worthy of support.

Jacquie Burgess proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the outline application be approved subject to conditions outlined within the report as in principle the application was in accordance with Policies SP1, SP6, SP10, DM5, DM21 DM23, DM46 of the adopted Broads Local Plan.

10/9 Enforcement Update

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

Wherry Hotel Oulton Broad. The landscaping scheme in association with the planning application BA/2017/0237/FUL had now been completed in accordance with the approved scheme. As compliance had been achieved, this would be removed from the Enforcement Schedule.

Marina Quays. The owners had undertaken some remedial works in tidying up the site but unfortunately it continued to be the subject of some vandalism. The new application following negotiations would be presented to Members in due course and it was hoped that this would be at the next Planning Committee meeting in June.

Land at Beauchamp Arms Public House, Ferry Road, Carleton St Peter Monitoring was continuing.

Members supported the action being taken and noted the progress made.

RESOLVED

that the report be noted.

10/10 Norfolk Strategic Framework – update

The Committee received a report providing an update on the next version of the Norfolk Strategic Planning Framework (NSPF) The NSPF set out the strategic matters to be taken account of in the production of Local Plans by the constituent Norfolk Local Planning Authorities (LPAs). It was also the Statement of Common Ground as required in regulations in order to address the requirements of Duty to Cooperate.

The main changes to the next version of the NSPF related to the Housing Standard Methodology and work was underway relating to Telecommunications, Green Infrastructure, Health work and the elderly. The Planning Policy Officer confirmed that the Green Infrastructure workshop had been successful in involving the appropriate stakeholders and in gathering the necessary information to progress matters. All the work would contribute to the Greater Norwich Development Partnership and inform the Local Plans.

RESOLVED

that the report be noted.

10/11 Designating Carlton Colville as a Neighbourhood Area

The Committee received a report introducing the Carlton Colville Neighbourhood Plan. The nomination was received on 15 February 2019, this was followed by a six-week consultation between 4 March and 15 February 2019. The proposed area not only covered the whole of Carlton Colville but also part of the neighbouring parish of Gisleham. There were no known or obvious reasons to not agree the Neighbourhood area.

Jacquie Burgess proposed, seconded by Gail Harris and it was

RESOLVED unanimously

that the entire parish of Carlton Colville and part of Gisleham Parish, as set out in Para 3.1 of the report, become a Neighbourhood Area in order to produce a Neighbourhood Plan.

10/12 Confirmation of Tree Preservation Orders

The Committee received a report relating to a Tree Preservation Order (TPO) BA/2019/0001/TPO at Broadlands, Borrow Road, Lowestoft in order to protect trees considered to be under threat and of high amenity value. The site fell within the Oulton Broad Conservation Area and officers had received a works to trees application. A provisional TPO was issued on 17 January 2019 as the proposed works were considered inappropriate and would result in a loss of amenity. The order was issued following detailed assessment of the trees against the prescribed criteria within the legislation. The provisional order was the subject of consultation.

The TPO covered a mixed group of mature lime, pine, horse chestnut, holly and oak trees, all of which made a valuable contribution to the site and the area generally, particularly the conservation area. Initially two representations were received including one objection but following negotiation and explanation, the objection was subsequently withdrawn. As this was the case, the TPO was recommended for confirmation. The Historic Environment Manager explained that this would not preclude work being carried out, but it would be necessary to apply to the Authority to do so although there would not be a fee. The owners would have the opportunity and ability to enter into a management agreement for the trees.

Members were pleased that negotiation and explanation had resulted in the objection being withdrawn.

RESOLVED

that the Tree Preservation Order BA/2019/0001/TPO covering the trees as set out in Appendix 1 to the report be confirmed.

10/13 Customer Satisfaction Survey 2019

The Committee received a report on the recently undertaken annual Customer Satisfaction Survey. This involved a questionnaire being sent to all applicants or agents who had received a decision on a planning application between 1 February to 30 April 2019, a total of 57 survey forms. The response rate of fourteen represented a rate of 24.6%, an increase from 2018. The results were positive although to be treated with caution given the low numbers. But on the basis that a bad experience was more likely to provide feedback, it was considered that on the whole customers were broadly satisfied with the service received.

Members congratulated the planning team.

RESOLVED

That the report be noted.

10/14 Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since 1 January 2019, of which there were four.

RESOLVED

that the report be noted.

10/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 15 April to 17 May 2019.

With reference to the application BA/2019/0019/FUL Barn adjacent to Barn Mead Cottages in Coltishall, for a change of use from B8 to residential dwelling and self-contained annexe, which was refused, the Head of Planning explained that it was considered that the viability assessment and marketing undertaken had not provided enough evidence to satisfy the policy tests and demonstrate that no alternative use was likely to be achievable.

RESOLVED

that the report be noted.

10/16 Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications

The Committee received a report on the development control statistics for the quarter ending 31 March 2019. It was noted that the number of applications approved was high at 94%. The performance figures had improved compared to the previous quarter. Although the targets were not met for 'Major' and 'Other' development, the discrepancies were small. The figures reflected the staffing resources at the time and the fact that the team had been dealing with a backlog. Although the figures didn't quite meet government targets, there had been ongoing communication with applicants and the results of the Customer Satisfaction Survey (which covered much of the same period) demonstrated that there was satisfaction overall.

RESOLVED

that the report be noted.

10/17 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 28 June 2019 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 12.00 noon

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 31 May 2019

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Melanie Vigo di Gallidoro	11	Suffolk County Council member for Pakefield division including Carlton Colville

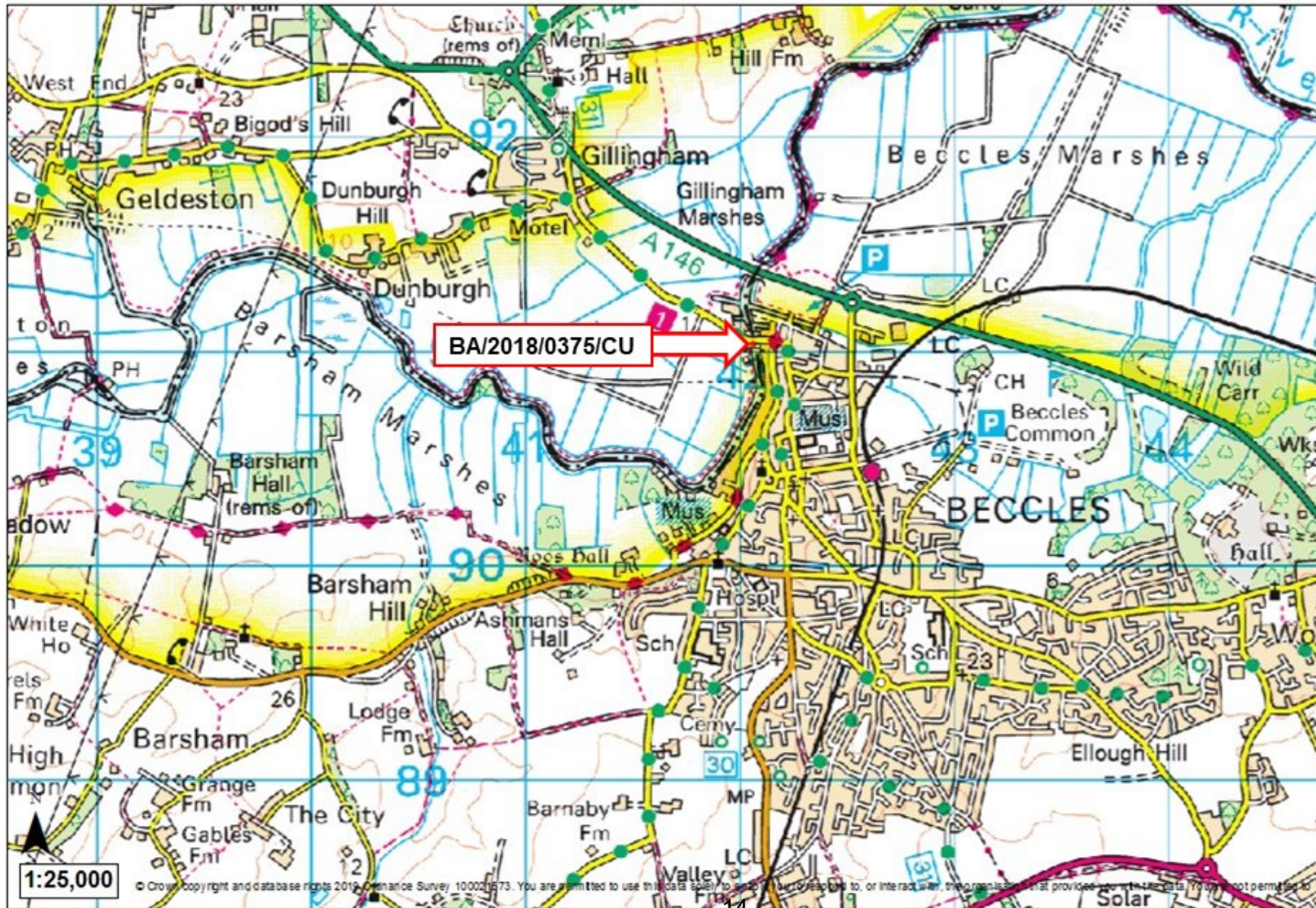
Reference:

BA/2018/0375/CU

Location

Workshop building, Gillingham Dam,
Gillingham

BA/2018/0375/CU Gillingham Dam, Gillingham, Beccles



Application for Determination
Report by Planning Officer

Target Date	10 June 2019
Parish:	Gillingham Parish Council
Reference:	BA/2018/0375/CU
Location:	Workshop building, Gillingham Dam, Gillingham.
Proposal:	Change of use from workshop to restaurant and extensions
Applicant:	Mr J Tubby
Recommendation:	Approve subject to conditions
Reason for referral to Committee:	Objections received

1 Description of Site and Proposals

- 1.1 The site to which this application relates is a fire damaged building which has seen use in the past as offices, workshop, craft businesses and has also had planning consent to be used as a dog grooming parlour. The building is located on the western bank of the River Waveney at Gillingham Dam, adjacent to the bridge linking this side of the river and the main settlement of Beccles. The buildings on site are comprised of a series of single storey structures built in brick and timber.
- 1.2 The site has a large area of car parking which is open to residents, visitors, fishermen and boat users as well as staff and visitors to the buildings in question. The buildings are to the south of the river, with a public right of way running along the river bank within the site. The buildings alongside the river and bridge, combined with the buildings on the Beccles side of the river and on the opposite side of Gillingham Dam road, contribute to a positive character and it is popular as a destination for tourists, walkers and cyclists.

- 1.3 The site is located within the Barsham, Gillingham and Beccles Marshes landscape character area (LCA 3). There is existing settlement in this area so the character of the area reflects its edge of settlement location and not the open pastoral landscape of the wider LCA. The site itself has little in the way of natural features, other than the several trees within and around the car park. The site is characterised by its riverside location and small-scale buildings set back from the river.
- 1.4 The site is located within flood risk zone 3a, as the site is not part of the functional flood plain. The current use of the site as a workshop is considered to be a less vulnerable classification by the Environment Agency.
- 1.5 The site is located within the Beccles Conservation Area and makes up part of the wider setting alongside the bridge and Bridge House. This group contributes to the significance of the Conservation Area. The building is 19th century and has a quality which positively benefits the character of the conservation area, although is partially damaged through fire. On this basis the building is considered to be a non-designated heritage asset and its restoration and retention is preferred.
- 1.6 Planning permission is sought for an amended scheme which is for the change of use of the existing fire damaged buildings from their previous workshop use, to a restaurant or café use (Use Class Order A3) and the extension of the building in the form of a single storey flat roof extension to create a seating area. The current buildings have a footprint of approximately 155m². The building extension would be approximately 72m², projecting 6.0m out from the existing building towards the river. The amended reduced area, access ramp and decking proposed would have an area of 85m².
- 1.7 Additionally, the proposal includes details of a wall projecting from the extension closest to the road to the north, and an area of outdoor seating on a raised deck area with balustrade facing the river in front of the proposed extension. The proposal would also retain the existing parking area as currently laid out in line with the requirements of the S106 attached to the previous planning application.
- 1.8 The proposed use is also considered to be a less vulnerable use classification as defined by the Environment Agency.

2 Site History

- 2.1 The most relevant planning history are a series of planning permissions which approved the construction of a small residential development on the opposite side of Gillingham Dam. The permission which was built dates to the 1990s and as part of this development a Section 106 agreement was included that covers the application site. An explanation of the relevance of this S106 agreement is under the summary of relevant planning permissions.

- BA/1987/7489/HISTAP - Redevelopment to provide 14 houses – Approved

- BA/1994/7217/HISTAP - Renewal of permission 97/89/1759/D - Erection of houses and flats (outline 97/87/2155/O) – Approved -
- BA/2001/6895/HISTAP - Construction of car park – Approved
- BA/2010/0159/CU – Change of Use from offices to Dog Grooming Parlour – Approved – 9 June 2010

- 2.2 The site history has relevance in determining this application, in particular application ref. BA/1994/7217/HISTAP for the Erection of houses and flats (outline 97/87/2155/O) which has a S106 agreement attached to the decision which also covers the application site. This S106 is between the owners of the land, and the Broads Authority. Having taken legal advice and assessing the S106, it is apparent that the clauses which might be relevant do not restrict the proposed development and use and therefore the S106 does not need to be varied. However, the agreement within the S106 remains in place and the landowner and/or operator should ensure that they continue to comply with this agreement.
- 2.3 The S106 sets out in 2(a)(iv) that the building to which this application relates should be retained as an office. However, due to the wording of the clause this is time limited to 12 months from the commencement of the development (as defined). As development permitted under this permission was commenced then the 12 months have now passed. Therefore, a use outside of office would not be restricted by this clause of the S106.
- 2.4 In regards to other clauses within the S106 which might restrict the proposal, particularly the building's extension or the effective change of use of land, these clauses relate to other areas of land as specified within the S106, and therefore this proposal does not result in a need to vary the existing S106.

3 Consultations

3.1 Consultations received

Gillingham Parish Council –

The Parish Council are pleased that the eyesore of the current building would be improved. In general, the feeling by the council is that small businesses should be encouraged but they do have some very real concerns about the proximity, of what could be a disturbance caused by an isolated building that is open until late at night, next to a residential area, both across the water and opposite residential homes.

They also set out concern regarding the safety aspect of customers who may have taken alcohol due to the site's close proximity to the river and road crossing. Finally, they state that the public footpath along the river would be affected.

Environment Agency – The development is not considered to change the flood risk vulnerability and therefore the development would remain in a less vulnerable classification. Standing Advice is then set out by the EA for this type of development. In addition, the EA set out that Environmental Permitting

may be required due to the location of the works in relation to the river and set out where this information can be found.

Norfolk County Council (NCC) Highways – Initially the highways officer set out an objection to the scheme and required further information. The agent has shown in a drawing an existing dropped access and crossing point, and also shown that only one access would be open onto the site. This has resulted in the NCC objection being removed, and subject to conditions the Local Highways Authority considers the proposal acceptable.

Norfolk County Council Public Rights of Way – The development is within close proximity to the public right of way footpath which runs along the riverbank. The agent has consulted the relevant section at NCC and it has been confirmed that the development would not encroach upon the public right of way. No objection.

Waveney District Council Environmental Health Officer – No objection. Recommends condition.

BA Landscape – Although in principle bringing this building into use would be positive in terms of addressing the dilapidated look of the site, the scale and character of the building extension along with the associated decking need further consideration. The seating area might be better sited on the existing land in an informal manner rather than the proposed deck as this would have an impact upon the landscape. The extension and wall would also have an impact through loss of views to the river and bridge.

BA Historic Environment Manager – Following amendments it is considered that the length of wall is relatively short and given this the simple change in height will be acceptable subject to an appropriate coping detail by condition. The design is sympathetic, and the works would retain a non-designated heritage asset within the Conservation Area.

3.2 Representations Received

Representations received = 8

A number of objections and comment on both the original and amended scheme have been received. The key issues raised are as follows.

- Unacceptable design and harm upon the character and appearance of the area. The new addition is out of keeping with the host building. Poor detailing such as location of the bin store in a road facing position and lack of detail regarding extraction flues.
- Detracting from views which benefit the landscape character of the area. Views which are very popular with visitors to the Broads. Including the riverside of Beccles and also from the river back towards.
- Impact upon the amenity of neighbouring residential property.
- Access to and from this site is not very safe with the proximity to the bridge, which has a limited view, with numerous near misses and minor accidents, some not so minor. Poor footpath access and lack of lighting

- Parking at the site is already an issue. The open car park currently can be an issue with nuisance especially if the gates are removed.
- An overdevelopment of the site in the Broads which is for commercial rather than community benefit
- The previous uses as a workshop, woodyard, boat maintenance and craft businesses, all ceased work at the end of a normal working day and did not result in overlooking of the other side of the river such as the Hermitage. A restaurant with a large viewing area that looks directly across the river in to the garden of the Hermitage will make the garden unusable and would be a severe invasion of privacy.
- Noise and light pollution would result by virtue of the outside seating area and extended restaurant.
- No visitor moorings in front of the restaurant.
- No music licence to be granted.
- Concerns about cooking smells and the food waste containers attracting vermin.
- Some of the letters of comment/objection set out that they are not against the principle of development but then set out concerns relevant to this specific proposal.

One letter of support has been received setting out that the development was a benefit to locals and visitors to the area and that it is long overdue for the area. They also consider that the development would be modern but in keeping.

4 Policies

- 4.1 The adopted development plan policies for the area are set out in the Local Plan for the Broads (adopted 2019). It was adopted at the Full Authority meeting on 17th May 2019. [Local-Plan-for-the-Broads-2019](#)

The following policies were used in the determination of the application:

DM5 - Development and Flood Risk
 DM11 - Heritage Assets
 DM12 - Re-use of Historic Buildings
 DM13 - Natural Environment
 DM16 - Development and Landscape
 DM21 - Amenity
 DM22 - Light pollution and dark skies
 DM23 - Transport, highways and access
 DM24 - Recreation Facilities Parking Areas
 DM29 - Sustainable Tourism and Recreation Development
 DM43 - Design
 DM46 - Safety by the Water

5 Assessment

- 5.1 The key considerations in determining this application are the principle of development, impact upon landscape, the impact upon neighbouring amenity, design and the Conservation Area, and highways and public right of way.

Principle of Development

- 5.2 In principle, the refurbishment and change of use of the building to a recreation/tourist use is supported by the relevant policies of the newly adopted Local Plan for the Broads (2019). The building's previous use was that of a workshop, and prior to this it had been in a number of uses including offices and storage and has also had planning permission granted for use as a dog grooming parlour.
- 5.3 This building is considered to be a non-designated heritage asset due to the positive contribution it makes to the setting and character of the Beccles Conservation Area. Adopted plan policy DM12 (re-use of historic buildings) sets that where designated or non-designated heritage buildings are proposed for change of use that employment, recreation or tourism uses (excluding holiday accommodation) would be the next preference to retaining the building in the use it was designed for. In this instance, the building has seen numerous different uses which are not what it was originally designed for, however this proposal would see the building retained and repaired where required, in a use which complies with the relevant policy. The retention of this building and its renovation is supported in principle by policy DM12, and DM11 of the Local Plan for the Broads.

Impact upon the Landscape

- 5.4 Although in principle bringing this building into use would be positive in terms of addressing the dilapidated look of the site, an objection raised in representations (and also within the BA Landscape Architect's response) is that the form of the extension and decked area would have an impact upon the landscape and setting.
- 5.5 The scale and character of the building extension and decking is large, and would impact on the overall appearance of the area adjacent to the river, and consideration should be given to the appearance of any external areas and levels of activity close to the river that could lead to a more urbanised feeling.
- 5.6 The Landscape Architect has suggested that it would be more appropriate to have an informal seating area outside with any required seating set out on gravel or existing surfaces, to avoid the permanence of associated clutter such as decking and balustrading. The application did see a slight decrease in decked area, however, the applicant has not been willing to remove it altogether.
- 5.7 Concern has been raised from neighbours and the Landscape Architect that the extension to the north end of the existing building is likely to change the character of the site and obscure views of the river when approaching via Bridge Street from the west. Whilst it is acknowledged that the extension wall and boundary wall would obscure views when approaching the site from certain positions, clear views would be available when walking around the application site on the Public Right of Way from the Beccles side of the

bridge. Additionally, the decked area would allow for more visitors to enjoy the views from this area.

- 5.8 Conditions would be attached to ensure that the wall and balustrading are of a high quality and, when combined with the improvement in the general appearance of the site through this redevelopment, on balance it is considered that the development would not have a harmful impact upon the wider landscape. The loss or reduction of certain views of the landscape and townscape would not be sufficient to warrant refusal in this instance, and therefore the scheme is considered to accord with policy DM16 (Development and Landscape) of the Local Plan for the Broads.

Amenity of Residential Properties

- 5.9 In certain circumstances restaurant or café uses could result in potential harm to the amenity of neighbours. The issues that can arise include increased noise, disturbance and late-night music, odours and issues with waste and vermin. These issues have been set out in some of the reasons for objection. Considering the location of the site it is considered that there is potential for some of these issues to occur.
- 5.10 The site and the site's side of the river is relatively quiet with some moorings, the existing car park, and residential development on the opposite side of the road. This means that the initially proposed hours of operation up to 24:00hrs were considered to have the potential to result in undue noise and disturbance, particularly at night.
- 5.11 Consequently, the applicant was asked to amend the opening hours to reduce the impact upon neighbouring residential sites to the north, and on the opposite bank of the River Waveney. The agent agreed to limit the hours of opening of the café use to between 08:00 and 21:00. These hours allow for flexibility for future businesses, but would restrict the use sufficiently to avoid nuisance.
- 5.12 Additionally, whilst it is acknowledged that the use would create an active business at the riverside which would generate more noise than the current derelict fire damaged business, by virtue of the design noise would be limited by the wall and new building along the north of the site.
- 5.13 The agent has agreed to a condition relating to siting of the waste and also flue and extraction equipment. This would ensure that the position of the waste storage can be more sympathetically located than indicated on the site plan, and that if odour suppression is required, then this can be located in a position that is acceptable both visually and in terms of amenity of neighbours.
- 5.14 In terms of alcohol, music and events this would be covered by the District Council's Licencing Committee. However, considering the proposed hours of operation, which would be conditioned, it is not considered likely that this would cause undue disturbance.

- 5.15 In regards to the development and its impact upon the properties on the opposite bank of the River Waveney, concern was raised about the loss of privacy and amenity due to increased visitor numbers in this area. However, the river and the site are currently public places with moorings, a footpath, fishing and boating which all bring visitors into the area who would currently have a view of the properties on the opposite bank. As such, and also considering the separation distance over the river (approximately 35m or more) the development is not considered to have an additional impact that could warrant refusal. Subject to conditions and the requirement for a licence to be sought by future operators of the site the scheme is considered to accord with Policy DM21 (Amenity) of the Local Plan for the Broads

Design

- 5.16 The form of existing buildings is a positive addition to the character of the area. However, due to the fire damage of the brick building, currently the site is unkempt and from certain angles is harmful to the appearance of the Conservation Area. The planning application seeks to extend the main brick building with a larger seating area and change the use of the existing buildings. To benefit from the river frontage a decked seating area is also proposed.
- 5.17 The site is part of the wider setting of the bridge and Bridge House which, together with the building, form a group which contribute to the significance of the Beccles Conservation Area. The existing building is considered to be a non-designated heritage asset because of this positive contribution to the Conservation Area.
- 5.18 The proposal would see the retention of the more historically and architecturally significant of the buildings on the site and as such their retention within the Conservation Area. The retention of the building facing the dam is particularly welcome in relation to its group value with the bridge and bridge house.
- 5.19 The extensions and physical alterations to the building are appropriate in terms of their scale and simple, subservient design. The introduction of a wall facing the dam gives a degree of visual screening from the dam and from the river the flat roofed and pitched extensions sit comfortably with the existing/original form of the building.
- 5.20 Whilst the extensions will have a visual impact on the Conservation Area, this is considered, on balance, to be positive and an appropriate level of extension to this existing building. Furthermore, the fact that the existing building itself is being retained is considered to be in accordance with Para 200 of the NPPF in that it preserves an element of setting that makes a positive contribution to the designated heritage asset – that being the Beccles Conservation Area.
- 5.21 In terms of materials, details of all external materials should be conditioned including hard landscaping and decking. The use of UPVC windows in this

location would not be considered appropriate, timber or powder coated aluminium would be preferred.

- 5.22 Detailed information by way of condition would also be required regarding the form of construction, including the brick bond of the cavity section of wall and the bond of the 9" solid section and pier. It is suggested to use snapped headers on the cavity section to create a Flemish bond to match that of the existing building and also use Flemish bond for the solid section of wall.
- 5.23 On balance the scheme is considered to accord with policies DM43, DM11, DM12 of the Local Plan for the Broads as the development would preserve the character and appearance of the Conservation Area.

Highways and Public Rights of Way

- 5.24 The site is ideally located to be accessed from the town and neighbouring boat yards by foot or by bike (National Cycle Route 1) and is adjacent to a footpath along the River Waveney. However, there isn't a direct access by footway to the site. There is footway provision on Gillingham Dam/Bridge Street on the opposite side of the road with an existing crossing point. This is considered by the Local Highways Authority to be acceptable safe provision.
- 5.25 The Highways Officer has set out that 25 parking spaces with turning provision should be supplied and that it would not be acceptable for parking on the main highway in this location. Initially in the objections and the Local Highways Authority response, concern was raised regarding the development's ability to provide this space. Additionally, the vehicular access was unclear in terms of position, width and visibility splay.
- 5.26 An amended drawing has been submitted setting out the vehicular point of access that will be used and visibility splays that accord with current requirements. This detail has confirmed that there is only one point of vehicle access for the general public which is the central access. The other points of access are to be permanently closed. The proposed access is now shown to be wide enough to allow two vehicles to pass so that vehicles turning into the site can leave the main highway without obstruction.
- 5.27 On receipt of the additional information and plan, the Highways Officer has confirmed that the amendments address their earlier comments and were satisfactory; accordingly, no objection is raised to the amended scheme from the Local Highways Authority subject to conditions.
- 5.28 Through boundary and footpath research the existing footpath has been shown to skirt the development site and none of the proposed development would encroach the existing public right of way. As such, subject to a condition ensuring that this PROW is kept open during the development works, Norfolk County Council do not object to the development as the scheme would not affect the PROW.

Other Issues

- 5.29 The site is located within an area of flood risk (Environment Agency Flood Zone 3a), however, the proposed use is not considered to be a higher vulnerability classification than the current use (both less vulnerable uses). The Environment Agency do not object, and the development complies with the standing advice. A condition will require both flood resilience measures to be incorporated into the construction and a flood response plan to be submitted prior to the first occupation of the site.
- 5.30 Due to the proximity of the site to a cycle route, a condition will be attached requiring adequate cycle parking to be provided for staff and visitors to the site to promote sustainable transport to the site, and enhance leisure opportunities in the area.
- 5.31 The current building has been assessed by the BA Ecologist and it is not considered to form suitable habitat for protected species unless works occur to the roof of the intact building. A condition will be attached to ensure a bat survey would be triggered and biodiversity enhancements are included in the development. Additionally, lighting will be restricted by condition, which would also overcome some of the concerns of neighbouring residents, as well as ensure that wildlife is not adversely affected by inappropriate lighting.

6 Conclusion

- 6.1 In conclusion, based on the amended plans and information submitted to support this application for the proposed change of use to a A3 (Café or restaurant use) the principle of development is in accordance with all relevant planning policy, in particular DM12 (Re-Use of Historic Buildings). It is acknowledged that the development would have an impact upon the landscape. However, on balance, the proposed scale of development is considered to be acceptable. The visual impact in the context of the existing buildings on site is considered to be an enhancement to the Conservation Area, subject to details of materials and construction methods. The proposal is considered by the Highways Authority to be acceptable. Whilst an unrestricted use as proposed might have the potential to cause nuisance, the scheme has been amended with shorter opening hours (only open between the hours of 8:00am to 21:00hours) and conditions are proposed to require further details of extraction systems and waste. As such the amenity of neighbours would not be adversely affected. Therefore, it is recommended that planning permission is approved subject to conditions.

7 Recommendation

Approve subject to conditions

- (i) Standard time limit
- (ii) In accordance with approved plans
- (iii) Details of materials and construction methods
- (iv) Details of extraction and odour suppression

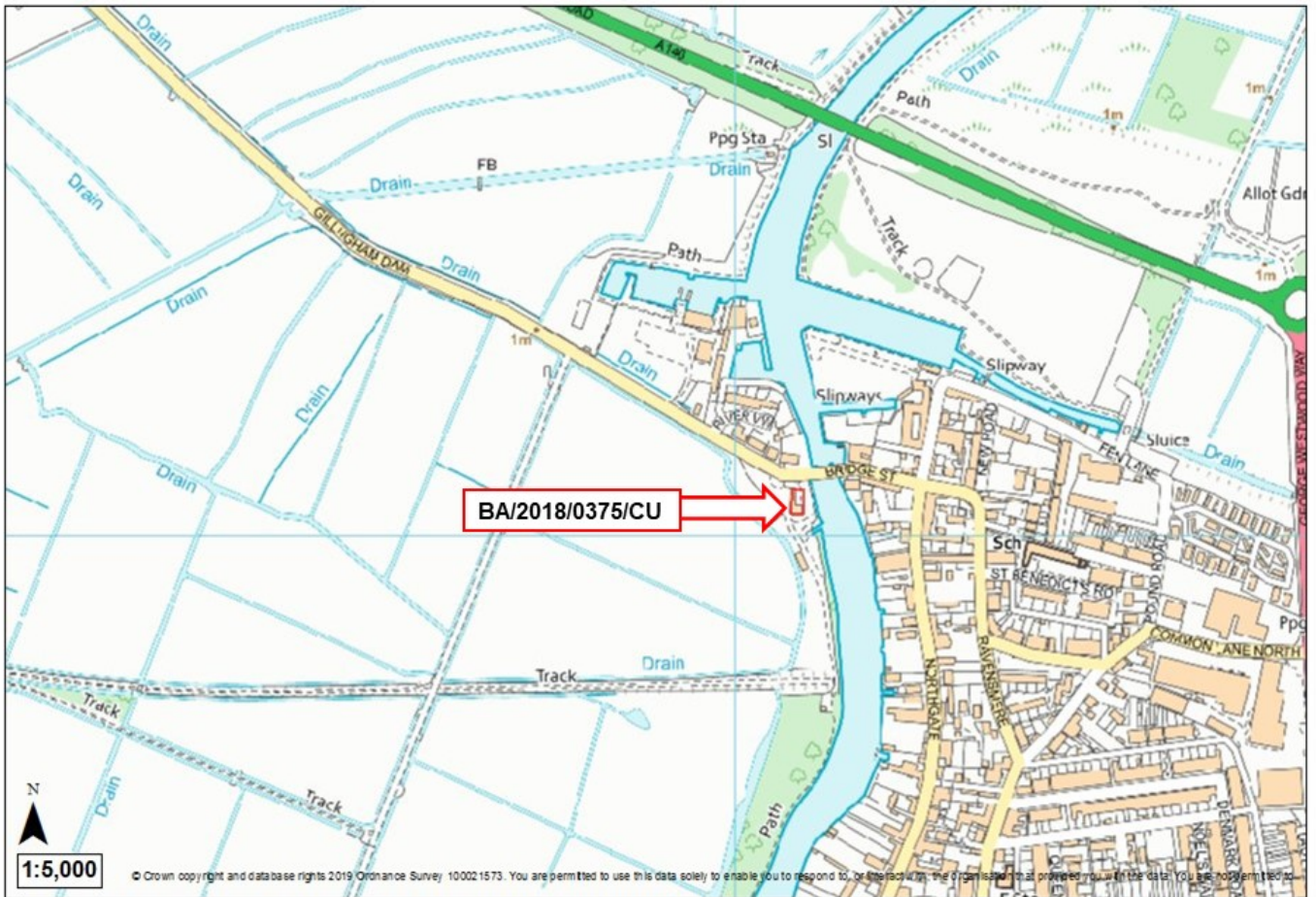
- (v) Details of location and design of waste storage
- (vi) Details of landscaping
- (vii) Bat survey prior to any works on the roof
- (viii) Bat survey prior to any demolition works on flashing, soffits and Biodiversity Enhancements
- (ix) Hours of operation and opening times
- (x) Vehicular and pedestrian access, parking/turning area shall be laid out, demarcated, levelled, surfaced and drained
- (xi) Details of cycle parking and installation and retention thereafter.
- (xii) vehicle access as shown on the approved plan. No other access
- (xiii) Remove Permitted Development Rights
- (xiv) external lighting details
- (xv) No obstruction of footpath

8 Reason for Recommendation

- 8.1 The proposal is considered to be in accordance with all relevant planning policy specifically DM12 (Re-Use of Historic Buildings) and would preserve and enhance the character and appearance of the Conservation Area through the retention of the non-designated heritage area.

Background papers:	BA/2018/0375/CU and BA/1994/7217/HISTASP with S106 Agreement
Author:	Jack Ibbotson
Date of report:	13 June 2019
Appendices:	Location Map

BA/2018/0375/CU Gillingham Dam, Gillingham, Beccles



Enforcement Update
Report by Head of Planning

Summary: This table shows the monthly updates on enforcement matters.
Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
31 March 2017 26 May 2017	Former Marina Keys, Great Yarmouth	Untidy land and buildings	<ul style="list-style-type: none"> • Authority granted to serve Section 215 Notices • First warning letter sent 13 April 2017 with compliance date of 9 May. • Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued. • Monitoring • Further vandalism and deterioration. • Site being monitored and discussions with landowner • Landowner proposals unacceptable. Further deadline given. • Case under review • Negotiations underway • Planning Application under consideration

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> • Planning application withdrawn and negotiations underway regarding re-submission • Works undertaken to improve appearance of building • Revised planning application submitted 1 April 2019
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored • Planning Contravention Notices served

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files

Author: Cally Smith

Date of report 10 June 2019

Appendices: Nil

Consultation Documents Update and Proposed Responses
Report by Planning Policy Officer

Summary:

This report informs the Committee of the Officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.

Recommendation:

That the report be noted and the nature of proposed response be endorsed.

1 Introduction

- 1.1 Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2 The Committee's endorsement, comments or guidance are invited.

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: None

Author: Natalie Beal
Date of report: 13 June 2019

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received from North Norfolk District Council

Planning Policy Consultations Received

ORGANISATION:	North Norfolk District Council
DOCUMENT:	Draft Local Plan Draft Landscape Character Assessment SPD Draft Landscape Sensitivity Study SPD Draft Design Guide
LINK	https://www.north-norfolk.gov.uk/tasks/planning-policy/document-library/
DUE DATE:	19 June. Extension agreed to allow this report to be considered at Planning Committee.
STATUS:	Draft
PROPOSED LEVEL:	Planning Committee endorsed
NOTES:	<p>The Local Plan explains where, how, and how much new development should take place in North Norfolk between now and 2036. It proposes up to 11,000 new homes including 2,300 affordable homes, new employment land, protected areas of green space, and a range of new policies guiding development proposals relating to housing construction standards, design of development, renewable energy, coastal management and much more.</p> <p>As part of this consultation we will publish details of the Alternative Options that have been considered, along with the supporting documents that we have taken into account when preparing the Plan, including: Interim Sustainability Appraisal (SA) and the Interim Habitats Regulations Assessment (HRA).</p> <p>NNDC have updated the North Norfolk Design Guide which is now a comprehensive on-line resource and has been prepared as a first point of call for all design matters. The Guide will be a Supplementary Planning Document (SPD) and is an integral part of the Local Plan. The guidance contained will be used to help determine planning decisions and will be given significant weight during planning application and appeal processes. NNDC have also produced new Landscape Character & Sensitivity Assessments which the Council intends to adopt as Supplementary Planning Documents (SPDs). These documents represent the most up to date and accurate assessment of the landscape characteristics in North Norfolk and have assessed the sensitivity of North Norfolk's landscape to various types of renewable and low carbon development.</p>
PROPOSED RESPONSE:	<p><u>General</u></p> <ul style="list-style-type: none"> • The documents seem generally well thought out and well presented and clear. • Regarding the consultation, we appreciate the extension agreed to enable Planning Committee to ratify the response. • It is disappointing, however, that the consultation period was only 6 weeks. The consultation covered 4 documents, which amount to over 1200 pages, and it is considered that 8 or 9 weeks would have been more appropriate. Also note that one of the weeks of the consultation was school half term and perhaps another week could have been added even just to reflect that. <p><u>Local Plan 1</u></p> <ul style="list-style-type: none"> • Throughout: Would prefer 'Norfolk and Suffolk Broads' or just 'Broads'.

	<ul style="list-style-type: none"> • Section 4: Perhaps this section can mention the Broads. Although, of course, not covered by this Local Plan, the Broads is still an asset to North Norfolk like the AONB mentioned in 4.6. We note the Broads is mentioned in the vision. What happens outside the Broads can impact on the Broads. • 5.11 to 5.15 – again, whilst acknowledging that the Broads are not part of the area covered by this Local Plan, the Broads is part of North Norfolk and are an asset and the Broads should be referred to in this section especially 5.14. We note the Broads are mentioned in the vision. • Policy SD2 – does it matter that 4c uses the terms ‘long -term’ and ‘perpetuity’? Are these meant to be the same or different time periods? • 7.27 – needs to mention the Broads. • 7.54 – the last sentence does not read well. • SD6 part1 –We had something in our Publication version PUB43 d that is similar to SD6 1. The Inspector discussed this at the hearings and requested we take it out as it was too permissive. See our adopted DM44. • 7.58 – needs to mention the Broads. • SD7 – is para 3 (in the case of...) actually allocating land for wind power? • SD9, 2 – needs to mention the Broads. It is mentioned in the final paragraph so mentioning it here would be consistent. • 7.101 and 7.102 and SD13 – parts of NNDC area in the Broads are good or very good dark skies as referred to in DM22 of our Local Plan and shown at Appendix I of our Local Plan and here. Please mention this in these sections of the Local Plan. What happens outside the Broads can affect the Broads as per 8.10. • I have not seen mention of the Horning Knackers Wood Water Recycling Centre capacity issue or mention of the Joint Position Statement. Our webpage relating to this is here. • SD16 – could electric charging points be lit? Boat electric points tend to be. If they are lit, this could add to light pollution. • Section 8: As this is a planning document, suggest you say that the ‘Broads has a status equivalent to a National Park’ or that the ‘Broads is a member of the National Park family’ rather than ‘Broads National Park’. • ENV1 – our special qualities are listed in 7.4 of our Local Plan if that helps. DM1 is our Major Development policy. Might be helpful to refer to these? https://www.broads-authority.gov.uk/data/assets/pdf_file/0007/1571299/FINAL-Local-Plan-for-the-Broads-May-2019-Appendix-1-ba170519.pdf • ENV2 – what are the settlement character studies referred to in this report? • ENV1 and ENV2. Some of the wording in ENV2 is quite strong compared to ENV1 that says impact on special qualities ‘will be carefully assessed’. But there is no instruction to developers to ‘demonstrate that their location, scale, design and materials will protect, conserve and, where possible, enhance....’ as written in ENV2. Assessing something is different to protecting, conserving and enhancing it. So ENV1 seems weaker than ENV2. How do ENV1 and ENV2 work together? Do they repeat each other or complement or contradict each other? • Figure 5 could helpfully show the Broads. • 8.23 – is the Landscape Character Assessment date correct? Should it be 2019? Could refer to Broads Landscape Character Assessment, Broads Landscape Sensitivity Study and Broads Biodiversity Action Plan too. • ENV4: is ‘should’ a strong term? Could it say something like ‘are required to’ or ‘shall’? ENV5 for example says ‘will’.
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- 8.80, 8.81, 8.82 – also mention the Broads and dark skies – we have intrinsically dark skies and a light pollution policy (DM22).
- 8.89 – might need to refer to shared Conservation Areas with us at Ludham, Horning, Stalham and Neatishead.
- Section 9 – whilst a small amount, do you want to have a paragraph about the housing need in the Broads’ part of NNDC? Our inspector asked us about lapse rates – you may want to consider these.
- Page 64, Affordable Housing – suggest you mention that the Broads Authority defers to/refers to/has regard to policies of NNDC in relation to Affordable Housing.
- Figure 6 – please show the Broads Authority Executive Area on this map as we will apply this policy.
- HOU4 – we have an equivalent policy that has just been found sound that might be of interest: DM38. https://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/1571299/FINAL-Local-Plan-for-the-Broads-May-2019-Appendix-1-ba170519.pdf
- HOU6 – again we have a residential ancillary accommodation policy that has just been found sound and might be of interest: DM39. https://www.broads-authority.gov.uk/_data/assets/pdf_file/0007/1571299/FINAL-Local-Plan-for-the-Broads-May-2019-Appendix-1-ba170519.pdf
- ECN2 – Neatishead airbase is quite close to the Broads. We would appreciate reference to this and something about involving us early on in the process.
- 10.25 – suggest you say ‘Hoveton Town Centre spans Local Authority boundaries and part falls under the Broads Authority Administrative Area’.
- 10.46 – needs to mention the Broads.
- ECN6 – when you say ‘static caravans’ do you mean those used for holiday use or for permanent residential use? You might want to state which.
- Figure 10 – I cannot see the public car park on there – this is mentioned in the key
- Page 22 – think there is an issue with formatting.
- Figure 17 – needs to show the Broads, like Stalham and Hoveton maps do.

Local Plan 2

- Show the Broads on relevant maps (Ludham, Hoveton and Stalham)
- ST17 – we support the reasons for not taking this site forward.

SA Scoping Report

- Page 37 – no mention of Horning Knackers Wood Water Recycling Centre capacity issues and the [Joint Position Statement](#).
- Page 38 – refer to dark skies and the Broads, our assessment and map.
- 6.4.1 – other documents to assess are our [Broads Landscape Character Assessment](#) and [Broads Landscape Sensitivity Study](#)
- Map 4 – add Broads Authority area too?
- Map 23 – would you like to list our local list in your area too? Please get in touch if you do.
- 6.5.1 – should the Norfolk Health Protocol be listed here?
- 6.6 – did you want to mention our housing need in NNDC?
- The hyperlinks probably all work, but some are not displayed well.

Interim SA

- Page 117, table 6:
 - HOU4/SD16 – seems like it should be negative as these houses will be in areas isolated from sustainable modes of transport – that is why they have their own policy. An occupier would probably rely on the private car to get to key services.
 - SA3 is often negative and it says that all new development will have some kind of impact, but this is not consistent. For example, should ECN2 and ECN3 therefore rate negative for the same reasons?

Landscape Character Assessment

- 1.5 says: ‘the eastern end of the District also adjoins The Broads, which has the status of a National Park’. This is not quite right. The eastern end of the District ***is the Broads*** and the Broads has a ***status equivalent to a*** National Park.
- 1.10 – this needs to mention the Broads – the Broads is an asset to North Norfolk
- The maps at the start – you could include the [Broads Landscape Character Assessment](#) by copying over the maps.
- 3.9 and 3.10 – this needs to mention the Broads
- Figure 3.7 – you could include our dark skies map as well and it is [here](#).
- Figure 4.1, 4.2 seems to exclude the Broads. LUC did our [Broads Landscape Character Assessment](#) and the information from that could be incorporated. To have a blank for the Broads is misleading and may have impacts as and when applications need to be considered in landscape terms near to the Broads. You could mention our LCA and refer to that rather than leaving a blank and include a link to the document. You could use a colour symbol and then provide the reference to our LCA in the legend?
- Page 131 – bottom left photo seems to have a formatting error

Landscape Sensitivity Study

- Executive Summary, particularly page 6, does not mention the Broads and needs to. Development outside of the Broads can impact on the Broads.
- 1.3 needs to mention the Broads.
- 2.4 says: ‘the eastern end of the District also adjoins The Broads, which has the status of a National Park’. This is not quite right. The eastern end of the District ***is the Broads*** and the Broads has a ***status equivalent to a*** National Park.
- Figure 2.2, 2.4 seems to exclude the Broads. LUC did our [Broads Landscape Character Assessment](#) and the information from that could be incorporated. To have a blank for the Broads is misleading and may cause issues as and when applications need to be considered in landscape terms near to the Broads. You could mention our LCA and refer to that rather than leaving a blank and include a link to the document. You could use a colour symbol and then provide the reference to our LCA in the legend?
- 2.18 and 2.19 – needs to include the special qualities of the Broads in a similar way to the AONB section does. See b7.4 of our Local Plan.
- Table 5.1 only refers to the AONB. It has an ‘out of AONB’ column. It needs to have an ‘out of Broads’ column.
- Section 5 does not seem to mention the Broads and needs to.
- The report needs to include parts of or cross refer to our landscape sensitivity study and it still needs to consider the setting of the Broads.
- Figures 5.1, 5.2, 5.3, 5.4, 5.5, 5.6, 5.7 - seems to exclude the Broads. LUC did our

	<p>Broads Landscape Sensitivity Study and the information from that could be incorporated. To have a blank for the Broads is misleading and may have impacts as and when applications need to be considered in landscape terms near to the Broads. You could mention our LSS and refer to that rather than leaving a blank and include a link to the document. You could use a colour symbol and then provide the reference to our LCSS in the legend?</p> <ul style="list-style-type: none">• Section 5.2 needs to have a row for the Broads.• The Appendix 1 could have the Broads as an area copied over from our LSS or again cross referred. <p><u>Design Guide</u></p> <ul style="list-style-type: none">• Could usefully be a pdf as well.
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Filby Neighbourhood Plan
Designating Filby as a Neighbourhood Area
Report by Planning Policy Officer

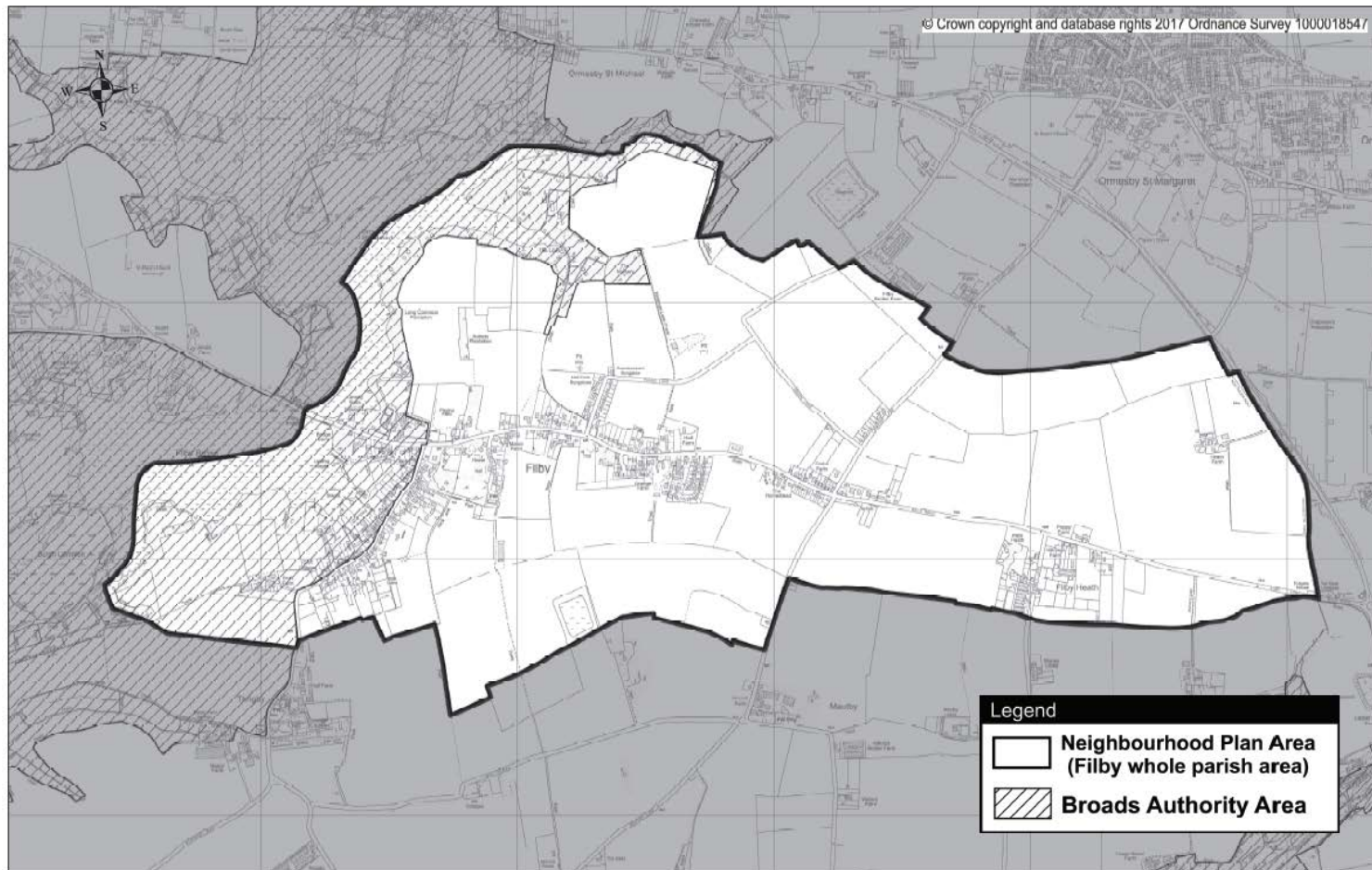
Summary:	The report introduces the Filby Neighbourhood Plan.
Recommendation:	That the Planning Committee agrees to Filby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

1. Neighbourhood Planning

- 1.1. Neighbourhood planning was introduced through the Localism Act 2011. Neighbourhood Planning legislation came into effect in April 2012 and gives communities the power to agree a Neighbourhood Development Plan, make a Neighbourhood Development Order and make a Community Right to Build Order.
- 1.2. A Neighbourhood Development Plan can establish general planning policies for the development and use of land in a neighbourhood, for example:
 - where new homes and offices should be built
 - what they should look like
- 1.3. Under the Neighbourhood Planning (General) Regulations 2012, parish or town councils within the Broads Authority's Executive area undertaking Neighbourhood Plans are required to apply to the Broads Authority and the relevant District Council to designate the Neighbourhood Area that their proposed plan will cover.
- 1.4. Once these nominations are received there was a requirement to consult on the proposal for 6 weeks. However, an update to the National Planning Policy Guidance has removed the need to consult for 6 weeks. As such, it is for the Local Planning Authority to agree an area becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

2. Filby

2.1. Filby Parish Council in Great Yarmouth has submitted the application for their entire Parish. Source



GREAT YARMOUTH
BOROUGH COUNCIL

Strategic Planning
Town Hall, Hall Plain
Great Yarmouth, Norfolk, NR30 2QF
Customer Contact Centre Tel. (01493) 856100
E-mail: localplan@great-yarmouth.gov.uk
Web: www.great-yarmouth.gov.uk

Filby Proposed Neighbourhood Plan Area

Date: 21/03/2019
User Name: sgs
Drawing No.:
Scale @ A3: 1:14,000

3. About Filby Neighbourhood Area application.

- The nomination was received on 10 June 2019
- There are no known or obvious reasons to not agree the Neighbourhood Area.

4. Links of relevance:

- 4.1. The Broads Authority Neighbourhood Planning webpage:
<http://www.broads-authority.gov.uk/planning/future-planning-and-policies/neighbourhood-planning.html>
- 4.2. Great Yarmouth Borough Council's Neighbourhood Planning webpage:
<https://www.great-yarmouth.gov.uk/article/3131/Neighbourhood-planning>
- 4.3. Some guidance/information on Neighbourhood Planning:
<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

5. Financial Implications

- 5.1. Occasional Officer time in supporting the process (as required by regulations).
- 5.2. There will be no cost to the Broads Authority for the referendum at the end of the process as Broadland District Council have agreed to take on this task and cost.

6. Conclusion and recommendation

- 6.1. It is recommended that the Planning Committee agrees to Filby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

Background papers: None
Author: Natalie Beal
Date of report: 13 June 2019
Appendices: None

Appeals to the Secretary of State Update
Report by Administrative Officer

Summary: This report sets out the position regarding appeals against the Authority since January 2019.

Recommendation: That the report be noted.

1 Introduction

1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since January 2019.

2 Financial Implications

2.1 There are no financial implications.

Background papers: BA appeal and application files
Author: Sandra A Beckett/Cally Smith
Date of report: 14 June 2019
Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since January 2019

Schedule of Appeals to the Secretary of State received since 1 January 2019

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
<p>Appeal received by BA on 11 January 2019</p> <p>Start Date 11 March 2019</p>	<p>APP/E9505/W/19/3220113 BA/2018/0259/OUT</p> <p>Nursery View Burghwood Road Ormesby Great Yarmouth</p> <p>Mrs Gillian Miller</p>	<p>Appeal against refusal of planning permission:</p> <p>Erect 4 no. detached dwellings of 1.5 storeys high, with garages and access.</p>	<p>Delegated Decision on 3 October 2018</p> <p>Notification letters by 18 March 2019</p> <p>Statement sent by 15 April 2019</p>
<p>Appeal submitted 27 January 2019</p> <p>Awaiting start date from PINS</p>	<p>APP/E9505/D/19/3221263 BA/2018/0364/COND</p> <p>Riversdale Cottage The Shoal Irstead</p> <p>Mr Andrew Lodge</p>	<p>Appeal against refusal to remove planning condition</p>	<p>Committee Decision on 9 November 2018</p>
<p>Appeal submitted 1 April 2019</p> <p>Start Date 29 April 2019</p>	<p>APP/E9505/W19/3225873 BA/2018/0213/FUL</p> <p>Black Horse Point 18 Bureside Estate Horning NR2 8JP</p> <p>Mr Nicholas Watmough</p>	<p>Appeal against refusal of planning permission</p> <p>Erection of replacement dwelling</p>	<p>Delegated Decision 12 October 2018</p> <p>Notification letters by 6 May 2019</p> <p>Statement to be sent by 3 June 2019</p>
<p>Appeal submitted 17 April 2019</p> <p>Start Date 1 May 2019</p>	<p>APP/E9505/W/19/3226955 BA/2018/0303/FUL</p> <p>Waterside, Riverside, Beccles Road St Olaves</p> <p>Mr Grant Hardy</p>	<p>Appeal against refusal of planning Permission:</p> <p>Erection of dwelling</p>	<p>Delegated Decision 20 December 2018</p> <p>Notification Letters by 8 May 2019</p> <p>Statement to be sent by 5 June 2019</p>

Decisions made by Officers under Delegated Powers

Report by Head of Planning

**Broads Authority
Planning Committee**

28 June 2019

Agenda Item No.13

Summary:	This report sets out the delegated decisions made by officers on planning applications from 20 May 2019	to 13 June 2019
Recommendation:	That the report be noted.	

Application	Site	Applicant	Proposal	Decision
Barton Turf And Irstead Parish Council				
BA/2019/0101/HOUSEH	Shoals Cottage The Shoal Irstead NR12 8XS	Mr Bob Parks	Replacement of existing quay heading	Approve Subject to Conditions
BA/2019/0088/HOUSEH	Shoals Piece The Shoal Irstead Norfolk NR12 8XS	Mrs Stephanie Edwards	Install 15m of quay heading.	Approve Subject to Conditions
Belaugh Parish Meeting				
BA/2019/0076/FUL	Barn House, Annexe 6 The Street Belaugh Norwich NR12 8XA	Mrs Catherine Beard	Change of use of residential annex to holiday accommodation	Refuse
Cantley, Limpenhoe And Southwood				
BA/2019/0126/HOUSEH	Garden Cottage Station Road Cantley Norwich Norfolk NR13 3SH	Mr Kelvin Myhill	Replace outbuilding with garages/workshop	Approve Subject to Conditions
Coltishall Parish Council -				
BA/2019/0147/HOUSEH	Home Port 6 Anchor Street Coltishall Norwich Norfolk NR12 7AQ	Mr Christopher Newton	1. Rear balcony extension. 2. Front entrance porch. 3. Change of external materials. 4. Alterations to all windows and doors including insertion of roof lights and windows in side elevation. 5. Removal of chimney. 6. Alterations to front elevation. 7. Alterations to rear elevation.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2019/0104/FUL	The Rising Sun 28 Wroxham Road Coltishall Norwich Norfolk NR12 7EA	Mrs Nicola Colchester	Change of use of existing first floor rooms to holiday accommodation. Juliet balcony to existing first floor flat.	Approve Subject to Conditions
Haddiscoe And Toft Monks PC				
BA/2019/0056/FUL	Doug Ashley Marine Reeds Lane St Olaves Norfolk NR31 9HG	Mr Doug Ashley	Retention of office building.	Approve Subject to Conditions
Horning Parish Council -				
BA/2019/0127/COND	Broadshaven Woodlands Way Road Horning Reach Horning Norfolk NR12 8JR	Mr Nicholas Murrells	Replace rooflight with dormer window. Variation of condition 2 of permission BA/2017/0438/HOUSEH.	Approve Subject to Conditions
Oulton Broad Parish Council -				
BA/2019/0120/COND	Beams Burnt Hill Lane Carlton Colville Suffolk NR33 8HU	Mr & Mrs Sherwood	Variation of condition 2 of permission BA/2016/0107/HOUSEH, Alterations to openings & gable.	Approve Subject to Conditions
BA/2019/0137/HOUSEH	Gunton Lodge Broadview Road Lowestoft Suffolk NR32 3PL	Mr N Hannant	Replacement garage & roof tiles on house	Approve Subject to Conditions
BA/2019/0016/FUL	Topcraft Cruisers Pegasus Mews Caldecott Road Lowestoft Suffolk NR32 3PH	Mr Graham Turner	Demolition of 2 existing buildings, erection of new building and installation of pontoons.	Approve Subject to Conditions
BA/2019/0073/FUL	Play Area Nicholas Everitt Park Bridge Road Lowestoft Suffolk NR33 9JR	Mrs Tina Page	Replace play area equipment	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2019/0098/FUL	Clearwater Broadview Road Lowestoft Suffolk NR32 3PL	Mr Barry Kendle	Replace concrete quay heading with that of steel sheet & timber	Approve Subject to Conditions
Repps With Bastwick Parish Council				
BA/2019/0111/FUL	Land At Former Bridge Hotel The Causeway Repps With Bastwick Norfolk	Dr Keith Bacon	Extend temporary permission for car park use	Approve Subject to Conditions
Surlingham Parish Council -				
BA/2019/0145/APPCON	West Bank Coldham Hall Carnser Surlingham Norfolk NR14 7AN	Mr Sam Dunning	Details of Conditions 3: External Colour Finish of Walls, Roof, and Door and Window Joinery, 5: Flood Resilience/Resistance Measures and 8: Removal of 2 Sheds of permission BA/2018/0042/FUL.	Approve Subject to Conditions
Thorpe St Andrew Town Council				
BA/2019/0113/COND	River Green South Of 77 Yarmouth Road Thorpe St Andrew Norwich NR7 0SG	Dr Thomas Foreman	Variation of condition 3 of permission BA/2017/0309/CU to allow double mooring of vessels up to 6ft wide.	Approve Subject to Conditions