

Planning Committee

Minutes of the meeting held on 21 June 2024

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Present

Harry Blathwayt – in the Chair, Stephen Bolt, Bill Dickson, Andrée Gee, Martyn Hooton, Tim Jickells, Kevin Maguire, Vic Thomson and Melanie Vigo di Gallidoro

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Nigel Catherall – Planning Officer, Ruth Sainsbury – Head of Planning, Cally Smith – Planning Consultant and Sara Utting – Senior Governance Officer

Members of the public in attendance who spoke

No members of the public in attendance.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Tony Grayling, James Harvey and Fran Whymark.

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. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

2. Declarations of interest and introductions

Members indicated that they had no further declarations of interest other than those already registered.

3. Minutes of last meeting

The minutes of the meeting held on 24 May 2024 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. The Chair noted that this was the last Planning Committee before Bill Dickson finished his term of appointment. The Chair indicated that Bill had been a member of this committee since July 2016 and that he had proved to be a staunch and stalwart participant during this time. The Chair thanked Bill for his

valuable/valued contributions; these would be missed. The Chair welcomed Andrée Gee on her return to the committee, having been re-appointed to the Authority by East Suffolk Council.

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

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 additional matters of information or detailed matters of policy not already covered in the officer's report, which were given additional attention.

(1) BA/2024/0128/FUL - Willow Marina, Riverside Estate, Brundall

Reconfiguration of marina, demolition of 6 miscellaneous sheds, removal of caravan. Installation of 75m long floating pontoon and 9 associated finger jetties. Car park resurfacing and creation of landscaped mound.

Applicant: Mr Daniel Thwaites

The Planning Officer (PO) provided a detailed presentation of the application that would involve the reconfiguration of a marina area including the installation of a 75m long floating pontoon and nine associated finger jetties, the demolition of six sheds, removal of a caravan, extension of a grassed area beside the marina area, car parking provision in the area of the demolished sheds, and a low level landscape mound adjacent to the road. The site was located to the south of Brundall Station on the Riverside Estate. To the west of the road named Riverside Estate, on the land adjacent to the River Yare, were mainly riverside chalets and to the east side, adjacent to Hobrough's Dyke, were a variety of marine businesses. The site was a modest sized marina and boatyard, formerly the home of Willow Marine, providing moorings and boatyard services.

The PO indicated that the application was before the committee as the applicant was a Member of the Navigation Committee.

The presentation included a location map, a site map, an aerial photograph with the site marked, a plan diagram showing the area of land and buildings to be removed and the location of the additional habitat mound, a plan diagram depicting the replacement pontoon, nine finger jetties and extended car park, a photograph taken from the west of the site looking east with annotations showing the locations of the six buildings to be removed, various photographs of the buildings to be removed, various photographs of the moorings and a photograph of the existing landscape mound on the adjacent Norfolk Boat Sales (NBS) site.

The PO confirmed that no further consultations had been received since the report had been prepared.

The principle of development was considered to be acceptable as it maintained mooring provision at the site. Considering the amalgamation of the subject site with the adjacent NBS site, the loss of some support services and repair provision on the subject site, was alleviated by the provision of these services on the NBS site.

The buildings proposed for removal were in some state of disrepair and their removal would benefit the overall appearance of the site. The appearance of the pontoon and jetties was considered acceptable in an urban boatyard setting and was in keeping with the equivalent structures on the adjacent NBS site. The proposed landscape changes were low key and would improve the appearance of the site and were therefore considered acceptable.

There would be no undue impact on the amenity of neighbouring residents.

The Authority's ecologist had raised no objection subject to the provision of a Pollution Prevention Plan and a Construction Management Plan.

The Environment Agency (EA) had raised no objection in terms of flood risk.

Following consultation responses from the EA and Broadland District Council Environmental Quality Team (EQT) the applicant had submitted a Phase 1 Geo-Environmental Report. The report identified an unacceptable risk of contamination posed by the development and, as mitigation, the EA and EQT had subsequently requested that a Site Investigation and the potential need for provision of a Remediation Method Statement be conditioned. Subject to these conditions the EA and EQT considered the proposed development acceptable.

The PO concluded that the principle of development was acceptable, the proposed changes to site appearance were acceptable, there would be no undue impact on amenity or protected species and any potential site contamination would be addressed by appropriate conditions. Therefore, the application was recommended for approval subject to the conditions detailed in section 8.1 of the report.

In response to questions the PO confirmed that the landscaped mound would be at the western/road end of the site on its southern boundary and the mound itself would consist of material reclaimed from land excavated as part of the pontoon works.

A Member asked for clarification regarding the change in boatyard services provided on the site. The PO responded that the site provided basic services such as pump out, electricity and water and these services would continue to be provided. The site had historically provided a boat maintenance and repair services and these services had ceased due to reduced demand, although these services had continued to be provided at the adjacent NBS site which was under the same ownership as the subject site.

In response to a question the PO confirmed that the new pontoon, albeit longer than its replacement, would not impair existing access along Hobrough's Dyke.

Members supported the application.

Bill Dickson proposed, seconded by Stephen Bolt and

It was resolved unanimously to approve the application subject to the following conditions:

- i. Standard time limit**
- ii. In accordance with approved plans**
- iii. Submission of Construction Management Plan**
- iv. Submission of Pollution Prevention Plan**
- v. Submission of a site investigation scheme and a full risk assessment, based on the preliminary risk assessment (Phase 1 Geo-Environmental Report)**
- vi. Submission of detailed remediation scheme, if the site investigation scheme and full risk assessment (under condition 5) identifies a need for remediation**
- vii. Where a remediation scheme is submitted and approved under condition 6, the approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks. The Local Planning Authority shall be given prior written notification of commencement of the remediation scheme works.**
- viii. Following the completion of any approved remediation scheme, prior to first use of the site submission of a verification report that demonstrates the effectiveness of the remediation carried out shall be produced.**
- ix. Process if contamination not previously identified is found to be present.**
- x. Any imported topsoil and subsoil for use on the site, evidence that soil is appropriate for use, prior to first use of the site.**
- xi. Provision of silt curtain and use of bunding to prevent excavated soil/sediment from leaching back into the watercourse.**
- xii. Provision of bunding around any spoil excavated and the newly landscaped "wildlife habitat".**
- xiii. Submission of flood response plan.**
- xiv. Works to cease if any bats are disturbed/roosting evidence is recorded during works.**
- xv. Works to cease if any nesting birds are encountered during works.**
- xvi. Provision of one woodcrete bat box or summer roost/nursery (Schwegler) bat boxes.**
- xvii. Provision of one woodcrete nest box (27mm) and one woodcrete nest box (30mm x 45mm).**
- xviii. No external lighting without agreement in writing.**

(2) BA/2024/0196/COND - Moorings Opposite Thurne Dyke Windpump, Thurne Dyke, Ludham

Reduced clubhouse size, variation of condition 2 of permission BA/2020/0047/FUL

Applicant: Mr Jamie Bennett on behalf of the East Anglian Cruising Club

The Planning Consultant left the meeting for this item as she was a committee member of the sailing club making the application.

The Planning Officer (PO) provided a detailed presentation on the application to vary condition 2 on planning permission BA/2020/0047/FUL which approved a new clubhouse with

a width of 8.15m fronting the river, a depth of 5.1m, with a pitched roof to a maximum height of 4.35m, falling to 2.65m at eaves. The original plans had subsequently been deemed too complex and the proposal was to reduce the size of the structure resulting in a clubhouse with a width of 7.4m fronting the river, a depth of 4.7m, with a pitched roof to a maximum height of 3.65m, falling to 2.2m at eaves. The site was located adjacent to the River Thurne opposite Thurne Dyke Windpump, a GII listed building located at the western end of Thurne Dyke.

The presentation included a location map, a site map, an aerial photograph with the site marked, a diagram showing the approved site plan side-by-side with the proposed amended site plan, a diagram enabling comparison of the approved and amended designs of the front, rear and side elevations of the clubhouse and various photographs of the site.

Following a detailed assessment, the Planning Officer concluded that the principle of the proposed development was acceptable as it took into account the character of the location. The buildings were of an acceptable design and siting and of suitable materials. They would not have a detrimental impact on the landscape either locally or from the wider area and there would be no adverse impact on the adjacent designated site, heritage assets, ecology and biodiversity, flood risk or amenity of neighbouring residents. He therefore recommended approval of the application subject to conditions detailed in section 8.1. of the report.

Members supported the reduction in the size of the clubhouse.

Tim Jickells proposed, seconded by Melanie Vigo di Gallidoro and

It was resolved unanimously to approve the application subject to the following conditions:

- i. In accordance with approved plans**
- ii. Large scale joinery sections of windows and doors**
- iii. Details of landscaping/native species planting**
- iv. Retention of bird box and bat box**
- v. Details of water entry strategy and flood evacuation plan**
- vi. Registration with flood warnings from the Environment Agency**
- vii. No external lighting without agreement in writing**
- viii. Use for water sports base only, not for any habitable or overnight accommodation**
- ix. All construction personnel, materials, and equipment shall only be delivered to/collected from the site by river**

8. Enforcement update

Members received an update report from the Head of Planning on enforcement matters previously referred to the Committee. No further updates were provided at the meeting.

As the Planning Policy Officer had not yet joined the meeting it was agreed to take item 13 at this point.

9. Thorpe St. Andrew Neighbourhood Plan – adoption

The Planning Policy Officer introduced the report on the adoption of the Thorpe St. Andrew Neighbourhood Plan. The PPO confirmed that the plan had successfully completed its referendum and was ready to be made (adopted).

In response to a question the PPO confirmed that the changes to the Neighbourhood Plan requested by the Examiner were not significant and were acceptable. The PPO added that changes arising from the examination were to be expected and they were a characteristic of a thorough review of the submission.

Stephen Bolt proposed, seconded by Melanie Vigo di Gallidoro and

It was resolved unanimously to recommend to the Broads Authority that the Thorpe St. Andrew Neighbourhood Plan was made/adopted.

10. Geldeston and Gillingham Neighbourhood Plan – area designation consultation

The Planning Policy Officer (PPO) introduced the report, which detailed the application by Geldeston and Gillingham Parish Councils to become a neighbourhood area.

Martyn Hooton proposed, seconded by Melanie Vigo di Gallidoro and

It was resolved unanimously to endorse the designation of Geldeston and Gillingham as a neighbourhood area.

11. Consultation Responses

The Planning Policy Officer (PPO) introduced the report, which documented the response to the Regulation 16 version of the Belton with Browston, Burgh Castle, and Fritton with St Olaves Neighbourhood Plan. The PPO had, in conjunction with some minor comments, raised an objection as there was an ambiguity within Policy 4 of this version of the Neighbourhood Plan regarding the location of community led development sites which was not consistent with the National Planning Policy Framework.

Bill Dickson proposed, seconded by Andrée Gee and

It was resolved unanimously to endorse the nature of the proposed response to the Regulation 16 version of the Belton with Browston, Burgh Castle, and Fritton with St Olaves Neighbourhood Plan.

12. Local Plan – Preparing the Publication Version

The Planning Policy Officer (PPO) presented the report which provided a high-level summary of the Preferred Options consultations, explained a number of proposed changes to the Local Plan and provided an approximate timeline for progressing the Local Plan over the coming months.

The PPO confirmed that she would complete responding to the 750+ comments received during the Preferred Options consultation in the coming days and she would then produce a corresponding report for inclusion at the next meeting.

The consultation responses issued so far had highlighted some changes to the Local Plan (detailed in section 3 of the report). The PPO provided more information for each topic in the Committee report:

Call for Sites

No sites had been put forward for residential dwellings, residential mooring or gypsy and traveller sites following the recent call for sites. The PPO proposed to repeat the call for sites as part of the consultation on the Publication Version of the Local Plan.

Housing Need

The PPO had incorporated the data from the latest year of monitoring permissions and completions (up to April 2024) as well as allocations in the Local Plan that had not commenced and updated the Housing Need table as shown in section 3.3 of the report. These updated figures predicted a shortfall of 42 dwellings although this figure was likely to change before the final submission (for reasons described in the section 3.3 of the report).

A Member asked whether a possible housing shortfall would be problematic if there was a stronger focus on housing from an incoming government. The PPO explained that as the Authority's housing need was not additional to the need identified by the Authority's neighbouring LPAs but was part of their need then the Authority's shortfall could be met by arrangement with the neighbouring LPAs. The PPO explained that even if all six neighbouring LPAs were to meet their need there would still be a surplus.

Policy LOD1: Loddon Marina Residential Moorings

The PPO explained that the landowner had requested the removal of the allocation for residential moorings at Loddon Marina. It was proposed to remove policy LOD1 from the next version of the Local Plan.

Policy STO1: Land adjacent to Tiedam, Stokesby

The PPO had visited land adjacent to Tiedam, Stokesby and verified that the development had been completed. Policy STO1 was therefore no longer required and would be removed from the Local Plan.

Policy DIL1: Dilham Marina (Tyler's Cut Moorings)

The PPO explained that a landowner within the area covered by policy DIL1 had requested that their garden be removed from the associated policy map (as shown on policy map in section 3.6 of the report).

The PPO proceeded to provide a summary of the Local Plan content planned for the next meeting and an overview of the remaining Local Plan content required to produce a marked up version of the Publication Local Plan in time for November's Planning Committee.

Martyn Hooton proposed, seconded by Stephen Bolt and

It was resolved unanimously to endorse the removal of policies LOD1 & STO1, the amendment of the area associated with policy DIL1 and the amendment of the Housing Need.

13. Local Validation List – update for Biodiversity Net Gain

As the Planning Policy Officer had not yet joined the meeting it was agreed to bring this item forward on the agenda before item 9.

The Planning Consultant (PC) introduced the report on a proposed change to the checklist used when validating planning applications that would require applicants, where necessary, to provide information on the delivery of Biodiversity Net Gain (BNG). The PC explained that BNG became mandatory for major developments from 12 February 2024 and for small sites from 2 April 2024. This meant that all applications that are ‘in scope’ for BNG must now provide baseline information on the existing biodiversity value of the site in the form of a completed statutory Metric. All the information on how the BNG would be delivered was left to the pre-commencement stage after permission had been granted and would lead to uncertainty around how the BNG would be delivered and limit the Local Planning Authority for the Broads’ confidence in the outcomes. To avoid this uncertainty Members had agreed, at Planning Committee 1 March 2024, to the recommendation that the Broads Authority’s Local Validation List be amended to require additional information on how the BNG would be delivered.

The Local Validation List had been amended to require this additional BNG delivery information at the application stage, with the extent and complexity of this information being proportionate to the scale of the proposed development (as indicated in section 2.1 of the report).

The proposed amendments had undergone an eight week consultation and comments had been received from four stakeholders (see section 2.3 of the report). None of the comments received raised objections to the proposed change for BNG (other unrelated comments would be addressed via the Local Plan process).

The PC explained that if Members were minded to endorse the proposed amendments to the Local Validation List then it would proceed to Full Authority for approval.

In response to a question regarding the Authority’s specified target for BNG the Planning Policy Officer (PPO) confirmed that there was some justification for mandating a figure greater than the 10% minimum mandated by the BNG regulations. The PPO explained that any increase above the minimum target would require evaluating to ensure it was viable. This evaluation work was being planned and the PPO expected a corresponding report including the outcome of this evaluation would be brought to committee before the end of the year.

Tim Jickells proposed, seconded by Andrée Gee and

It was resolved unanimously to endorse the proposed amendments and recommend to the Broads Authority that the updated Local Validation List was approved.

14. Appeals to the Secretary of State

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

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 13 May 2024 to 7 June 2024 and there were no Tree Preservation Orders confirmed within this period.

16. Date of next meeting

The next meeting of the Planning Committee would be on Friday 19 July 2024 10.00am at The King's Centre, 63-75 King Street, Norwich, NR1 1PH.

Given recent changes in meeting venues used by the Authority, the Chair asked for particular attention to be given to the size of future meeting rooms for the Planning Committee to reflect its quasi-judicial status.

The meeting ended at 10:59am.

Signed by

Chair