

Planning Committee

AGENDA

Friday 3 February 2017

10.00am

- | | | |
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| | | Page |
| 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 6 January 2017 (herewith) | 3 – 13 |
| 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

- | | | |
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| 6. | <p>Chairman's Announcements and Introduction to Public Speaking</p> <p>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</p> | |
| 7. | <p>Request to defer applications included in this agenda and/or to vary the order of the Agenda</p> <p>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</p> | |
| 8. | <p>To consider applications for planning permission including matters for consideration of enforcement of planning control:</p> <ul style="list-style-type: none">• BA/2016/0362/FUL River's edge near Boundary Farm Staithe, River Bure, Ashby with Oby | |

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	<ul style="list-style-type: none"> • BA/2016/0395/FUL River's edge near Boundary Farm Staithe, River Bure, Ashby with Oby • BA/2016/0444/FUL Burghwood Barns, Burghwood Road, Ormesby St Michael • BA/2016/0449/FUL Broads Authority Tourist Information Centre, Station Road, Hoveton 	24 – 37
9	Enforcement of Planning Control: Enforcement Items for Noting: No.1 & No 2 Manor Farm, Oby Report by Historic Environment Manager and Head of Planning (herewith)	52 – 55
10	Enforcement Update Report by Head of Planning (herewith)	56 – 63
	POLICY	
11	Broads Local Plan Bite Size Pieces Report by Planning Policy Officer (herewith) <i>Including:</i> <i>Appendix A Floating Houses Topic Paper</i> <i>Appendix B Settlement Fringe Topic Paper</i> <i>Appendix C Oulton Broad District Shopping Centre</i>	64 – 86
12	Worlingham Neighbourhood Plan: Designating Worlingham as a Neighbourhood Area Report by Planning Policy Officer (herewith)	87 – 90
13	Consultation Documents Update and Proposed Responses: Great Yarmouth Town Centre Master Plan Report by Planning Policy Officer (herewith)	91 – 94
	MATTERS FOR INFORMATION	
14	Appeals to the Secretary of State Update Report by Administrative Officer (herewith)	95 – 98
15	Decisions made by Officers under Delegated Powers Report by Director of Planning and Resources (herewith)	99 – 102
16	Circular 28/83: Publication by Local Authorities of Information About the Handling of Planning Applications	103 – 106
17	To note the date of the next meeting – Friday 3 March 2017 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich	

Broads Authority

Planning Committee

Minutes of the meeting held on 6 January 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard
Prof J Burgess
Ms G Harris
Mr P Rice

Mr H Thirtle
Mr V Thomson
Mr J Timewell (up to and
including Minute 7/12)

In Attendance:

Ms N Beal – Planning Policy Officer (for Minutes 7/11 – 7/12)
Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – For the Solicitor (up to and including Minute 7/10)
Ms A Scales – Planning Officer (up to and including Minute 7/9)
Mr B Hogg – Historic Environment Manager (for Minute 7/11)
Ms A Long – Director of Planning and Resources
Ms C Smith – Head of Planning

Members of the Public in attendance who spoke

**BA/2016/0422/COND Compartment 37 South Side of Upton Boat Dyke,
River Bure, Upton with Fishley**

Dr Kevin Marsh For the applicant

7/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting. Apologies were received from Mr W Dickson.

7/2 Declarations of Interest

Members indicated their declarations of interest in addition to those already registered, as set out in Appendix 1 to these minutes.

7/3 Chairman's Announcements and Introduction to Public Speaking

The Chairman reminded Members of the following:

- (1) **Broads Local Plan Drop in Sessions**
 - Saturday 7 January 2017, 10.00am – 12.30pm Oulton Community Centre. It was noted that the local MP, Mr Peter Aldous had indicated he would be attending
 - Thursday 19 January 2017, 6pm – 8pm Loddon and Chedgrave Jubilee Hall Sports & Social ClubThe local members for each of these venues confirmed that plenty of publicity had been given
- (2) **Code of Conduct Training** – Friday 20 January 2017 9.45 am for 10.00am
- (3) **Site Visit for Objection to TPO** – Friday 20 January 2017 at 2.30pm. (Minute 6/3)
- (4) **Planning Design Tour** – Potential Date: A doodle poll had been set up to ascertain the date for the Design Tour in June. Members were asked to respond as soon as possible.

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

7/4 Minutes: 9 December 2016

The minutes of the meeting held on 9 December 2016 were agreed as a correct record with an amendment to Minute 6/8(1) BA/2016/0355/COND and BA/2016/0356/COND Page 6, line 9 to replace "He" with "The applicant". These were then signed by the Chairman.

7/5 Points of Information Arising from the Minutes

None to report

7/6 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

7/7 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.

7/8 Applications for Planning Permission

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decision.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' report, and which were given additional attention.

(1) **BA/2016/0422/COND Compartment 37 – South side of Upton Boat Dyke**

Variation of condition 1 of planning permission BA/2015/0364/FUL to supplement drawing WNCFSH/420/002/O with WNCFSH/420/002/A to allow removal of piling and realignment of floodbank close to existing culvert (chainage 3962 to 3980)
Applicant: Environment Agency

The Planning Officer gave a detailed presentation of the application to vary a condition of an application that was given conditional approval in February 2016 following a site visit on 29 January 2016.

Following further local engagement by BA Officers and BESL, the decision notice was issued in September 2016 (and pre-commencement condition requirement details were approved in November 2016). The condition related to the treatment of a culvert and as a result of a decision by the IDB to amend the drainage arrangements, involving the removal of the culvert, this would allow the floodbank to be rolled back to follow the same alignment of the rest of the river bank thus straightening the floodbank alignment. This would enable piling along the river edge to be removed rather than retained as shown in the original plans. The works would then be contiguous with the other works already approved.

The Planning Officer drew attention to the consultations particularly those from Upton with Fishley Parish Council and the Navigation Committee, both of which had raised no objections and considered that the proposal represented an improvement on the existing situation.

Norfolk County Council Public Rights of Way officer had highlighted that the current legal right of way was across the culvert and therefore the legal issues including those relating to the footpath as a whole needed to be tied up and completed. This was outside the planning requirements and therefore if members were inclined there was no reason to delay granting approval. It was noted that the legalities relating to the footpath were a collaborative responsibility between the Broads Authority, BESL on behalf of the applicant and Norfolk County

Council. Dr Kevin Marsh on behalf of the applicant confirmed that BESL would bear the costs of the diversion particulars.

The Planning Officer concluded that the proposal in this area had previously been contentious in relation to pile removal. However, in this case it was considered that the realignment of the floodbank in this location and the removal of piles would remove a pinch point in the dyke, safeguard the drainage and provide a consistent natural appearance that would be welcome as well as deliver a benefit for navigation. This was considered to meet the key tests of development plan policy.

Members were supportive of the proposals and concurred with the Officer's assessment. They considered that it was in the best interests of all parties to maintain the rights of way. Therefore they wished to receive a progress report on these in six months' time.

RESOLVED unanimously

- (i) that approval be given to vary the application and allow the floodbank to be re-aligned and the piling removed (with all other planning conditions imposed on 2015/0364 remaining unchanged) . It is considered that the application is in accordance with the policies in the Development Plan particularly Policies CS1, CS3, CS4 and CS 15 of the adopted Core Strategy 2007 and Policy DP1 of the Development Management Plan DPD 2011.
- (ii) that an Informative be specified in the decision notice concerning that it be granted in the context of the Memorandum of Understanding between the Broads Authority and the Environment Agency on 25 April 2003.
- (iii) that the Committee receive a report on the rights of way/footpath diversion legalities in six months' time.

7/9 Enforcement of Planning Control: The Ferry Inn at Horning Enforcement Non-compliance with Enforcement Notice, plus unauthorised portakabin and caravan

The Committee received a report concerning the non-compliance with an Enforcement Notice issued in 2013 and further unauthorised development comprising the siting of a portacabin and caravan at the Ferry Inn at Horning. The issues had been reported to the Planning Committee on a regular basis through the Enforcement Update and more detailed reports in February 2016 and at its meeting on 9 December 2016. (Minute 6/10)

The newly appointed planning agent for the landlord had requested that a further period to 31 March 2017 be allowed in order to comply with the

planning requirements for the removal of the refrigerated trailer, portakabin and caravan.

The Head of Planning reported that she had visited the site on 5 January 2017 and it was apparent that some works had started to convert some of the outbuildings for storage and efforts therefore made to relocate goods which were currently stored in the refrigerator trailer and portacabin. The owner did not wish to remove the caravan just yet as it was used for staff and he wished for more time to seek alternative accommodation or employment for them.

Mr Rice confirmed that having been a mediator over the last four years he would not vote on this issue. He had informed the owner that if the Planning Committee wished to grant his request to extend the period for compliance, and he did not achieve compliance by the specified time, Mr Rice would no longer be involved in any negotiations.

Members considered that the landowner had had a considerable amount of time to comply and that they should be robust. However, they noted that efforts were now being made to comply with the Enforcement Notice, as well as to address the additional breaches. They also noted the likely timescales which would apply were prosecution and/or further Notices to be pursued

Haydn Thirtle proposed, seconded by John Timewell and it was

RESOLVED by 7 votes to 0, (Mr Rice not voting)

That the request for a further period until the 31 March 2017 to comply with the requirements of the Enforcement Notice and to remove the further unauthorised development be granted. If a full compliance is not achieved by this date, the authority granted to officers previously and in December 2016 to prosecute and serve further Enforcement Notices be implemented with immediate effect and no further negotiations take place.

7/10 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee. Further information was provided on the following:

With reference to Thorpe Island Further to Minute 6/10, it had been clarified that the red line boundary of the application did not include land within the ownership of Norwich City Council. Therefore the application could proceed to determination and was likely to be brought to the Committee within the next two months.

Broad Minded Plot 9/9A Martham Members had been clear that the mooring of Caravan on a Floating Pontoon was development. The Environment Agency had been given until 9 January 2017 to negotiate the removal of the structure with the occupant of the plot.

Eagles Nest Ferry Road, Horning Two applications had been received from the owner relating to the condition concerning timber cladding, including an application for a Certificate of Lawful Use (CLEUD) on the basis that the development had been in place long enough to be out of time for enforcement action. As this related to the legal issues, it would be dealt with by the Solicitor.

A Planning Contravention Notice had been served which in effect was a legal request for information and incurred a fine if not complied with or if the wrong information was provided.

RESOLVED

that the Enforcement Update report be noted.

7/11 Salhouse Neighbourhood Plan – Proceeding to Publication

The Committee received a report on the proposed Neighbourhood Plan submitted by Salhouse Parish Council to Broadland District Council and the Broads Authority along with the necessary supporting information (Appendices A to F). The report detailed the assessment required to be undertaken by the authority against the criteria set by Government legislation. This would enable the Authority to decide whether the proposal complied with the criteria and could be considered for inspection.

Notice of the decision would need to be sent to Salhouse Parish Council. The Authority had provided comments on the submission which would be brought to the attention of the Independent Examiner for he or she to consider.

Members endorsed and welcomed the positive proposed comments to be submitted by the Authority.

RESOLVED

- (i) that the Submission version of the Salhouse Neighbourhood Plan (NP) be endorsed and approved for proceeding to publication (consultation);
- (ii) that the proposed comments from the Broads Authority on the consultation version of the Salhouse Neighbourhood Plan be endorsed;
- (iii) that the Director of Planning and Resources in consultation with the Chair of the Authority and the Chairman of the Planning Committee be delegated with the authority to submit the Salhouse Neighbourhood Plan to independent examination on assessment of the comments received after the public consultation (publication) ended, subject to no new major issues being raised.

7/12 Broads Local Plan –Local Plan January Bite Size Pieces to inform the publication version

The Committee received a report introducing the topics for the Publication version of the Broads Local Plan set out as follows:

- Appendix A Land at the Bridge at Potter Heigham Policy PUBPOT1.

It was noted that the document would inform the draft policy approach in the publication version and the final text within it. There may be other considerations coming to light between now and the final version that would be presented to Planning Committee in April 2017.

Members were supportive of the proposed amendments and details within proposed policy, particularly the change of the word “encouraged” to “supported” and reference to dark skies, given the character of the area.

A member expressed some concern about the future of the unusual bespoke garden adjacent to the retail store which had been a creation of the founder of Lathams store some time ago. The Planning Policy Officer undertook to give this further consideration.

With reference to the Bridge Hotel Site, members considered that it would be beneficial to have some form of development on the site since its location may have difficulties for some businesses to create viability. It was therefore considered that the policy should not be so prescriptive as to require any new holiday accommodation being dependent on a comprehensive scheme associated with tourism and recreation facilities. It was suggested that the policy be separated into two parts relating to support for holiday accommodation, and support for a potential scheme for the whole site to include appropriate recreation and tourism related provisions. The Planning Policy Officer undertook to amend the policy accordingly. She reminded members that the site had originally been open to discussion as being designated as an open space but this had been rejected.

With regards to concerns about the dilapidated Broads Haven public house site, the Planning Policy Officer clarified that policies for this would come within the general policies relating to public houses.

RESOLVED

that the details and amendments within the Policy PUBPOT 1 for Potter Heigham Bridge be supported and endorsed subject to amendments to the wording to accommodate the members’ views relating to the Bridge Hotel Site in order to inform the publication version of the Broads Local Plan.

7/13 Loddon and Chedgrave Conservation Area Re-Appraisal

The Committee received a report and presentation on the Loddon and Chedgrave Conservation Area Re-Appraisal following the public consultation undertaken in July 2016, together with the management plan and proposed amended boundary. The Re-Appraisal was part of the Authority's ongoing programme for re-appraising the 25 Conservation Areas within the Broads. It was noted that the majority of the Conservation Area fell within the jurisdiction of South Norfolk Council and therefore it had carried out the appraisal work and the consultation which included a public meeting and exhibition. There was only a minor part which came within the Broads Authority area. The Heritage Asset Review Group had considered the Re-Appraisal at its meeting in August 2016 and subsequent comments had been fed into the final report.

The Historic Environment Manager provided details of the proposed boundary changes. There were minor changes in the Broads Authority area which were around the Staithe area and were proposed in order to make it more inclusive of the recently developed terrace of houses. This was considered a logical extension of the area as otherwise the boundary would cut through the development. He also pointed out the consultation responses provided by the Authority to South Norfolk which had been incorporated relating to reference to the Norfolk and Suffolk Broads, and Broads Authority policies. The Historic Environment Manager confirmed that all the consultation had been in line with the Authority's Statement of Community involvement. South Norfolk's cabinet had adopted the Conservation Area Re-Appraisal at its meeting on 5 December 2016 and it was recommended that the Authority adopt that part which fell within the Broads executive area at its meeting in January 2017.

Members were supportive of the designation and

RECOMMENDED to the full Authority

That the Loddon and Conservation Area Re-Appraisal and management plan that falls within the Broads Authority executive area be adopted.

7/14 Managing Planning performance and the designation regime for Local Planning Authorities

The Committee received a covering report that outlined the Government's intentions around the designation of Local Planning Authorities as poor performers and informed Members of the forthcoming assessment. It was noted that the Government was seeking to improve the speed of determination of planning applications as well as the quality of the decisions. At present underperformance was based on the time in which planning authorities dealt with major applications. The government wished to increase and widen the range of measures of the speed of determination to include decisions on minor and household applications. It intended to examine the quality of those decisions by examining how often appeals against the decisions of the LPAs were allowed.

Members noted the performance relating to speed of determination of the Authority benchmarked against other Norfolk LPAs (plus Waveney District Council) and the National Parks. They also noted the performance regarding rate of appeals allowed. As a rule, it was noted that the Authority's performance was above average. The system did not take account of the complexities and number of applications. Given that the Authority dealt with very few major applications, when set out as a percentage, this provided a misrepresentation. There was the possibility of agreeing with the applicant an extension of the time for determination which could help.

Members considered that this factor underlined the importance of the pre-application discussion, negotiation and guidance provided by the Authority and that it had been right to decide not to charge for pre-application advice. It was considered important that applicants continue to be encouraged to discuss their applications with planning officers before submitting a detailed application. They noted that the statutory targets within which applications were to be dealt with were very tight – 8 weeks for minor applications and 13 or 16 weeks for major applications and this also included a three week consultation period.

It was pointed out that LPAs were often dependent on responses from technical consultees which could not be ignored and in many instances, particularly Anglian Water, the response time had caused considerable delays in the decision making which then reflected badly on the LPA. It was suggested that a combined approach with other LPAs to help speed this up should be adopted. It was noted that statutory consultees were obliged to respond within a certain timescale.

RESOLVED

- (i) that the report be noted.
- (ii) that collaborative efforts be made to highlight the necessity of receiving technical consultations within the set timescales.

7/15 Appeals to Secretary of State Update

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since 1 April 2016.

RESOLVED

that the report be noted.

7/16 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 22 November 2016 to 15 December 2016.

It was noted that a number of these had arisen through the condition monitoring programme.

RESOLVED

that the report be noted.

7/17 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 3 February 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

It was noted that the Members Heritage Asset Review Group (HARG) was due to meet following the next Planning Committee meeting.

The meeting concluded at 11.22 am

CHAIRMAN

Code of Conduct for Members**Declaration of Interests**

Committee: **Planning Committee**

Date of Meeting: 6 January 2017

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Paul Rice	Minute 7/9 Minute 7/11	Ferry Inn Horning as mediator NSBA Member Broads Society Chairman Salhouse Broad – as part of the rescue team that uses the land.

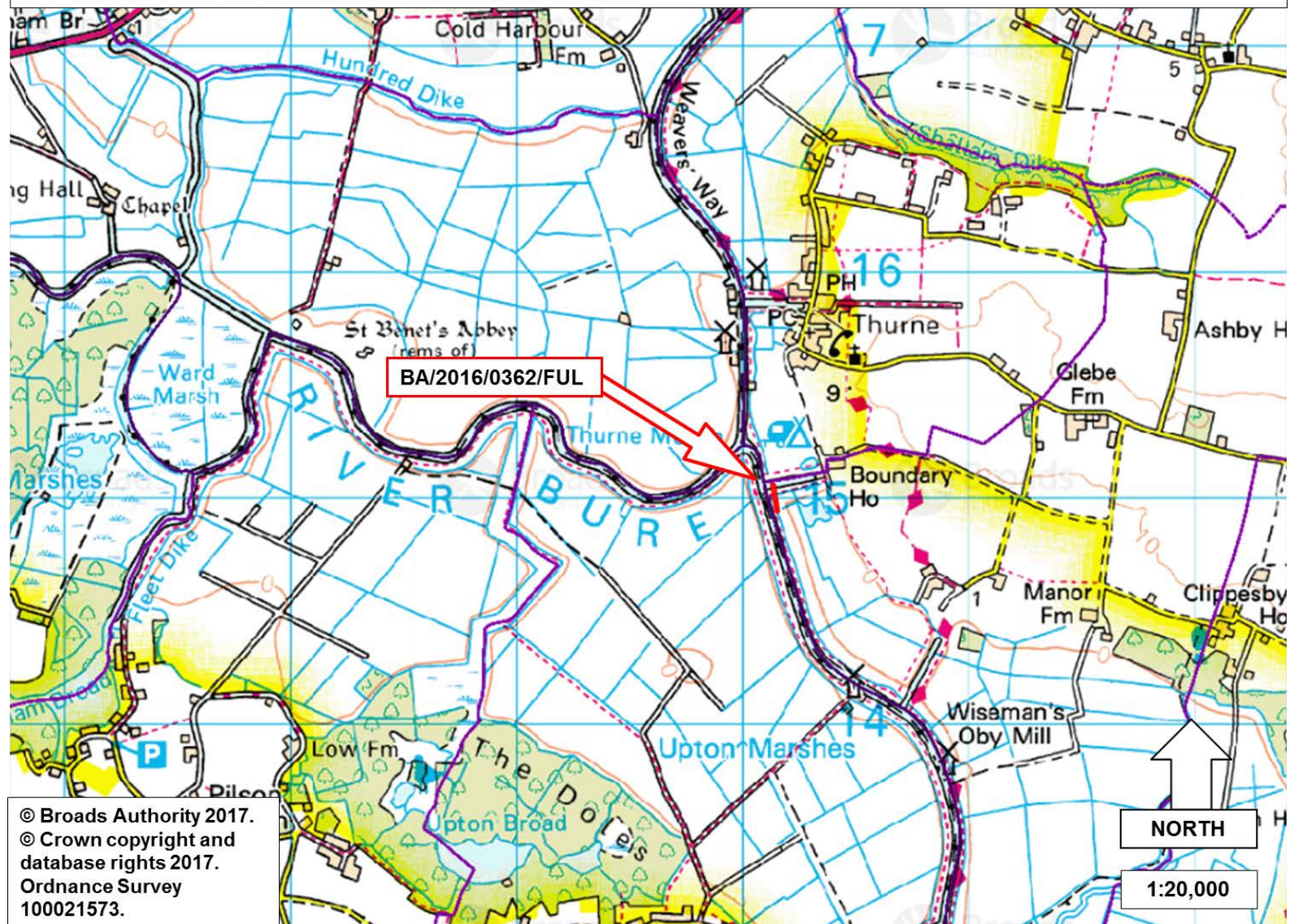
Reference:

BA/2016/0362/FUL

Location

River's edge near Boundary Farm Staithe, River
Bure, Ashby with Oby

BA/2016/0362/FUL - River's edge near Boundary Farm Staithe



Application for Determination

Parish	Ashby with Oby
Reference	BA/2016/0362/FUL Target date 15 December 2016
Location	River's edge near Boundary Farm Staithe, River Bure, Ashby with Oby
Proposal	Removal of piling along the left bank of the River Bure at Oby, and re-grading of the river bank edge to form a reeded rond. The material removed will be used for crest raising the floodbank, either immediately or stock piled on the rear bank face for future use.
Applicant	Environment Agency
Recommendation	Approve subject to conditions
Reason for referral to Committee	Public interest

1 Description of Site and Proposals

- 1.1 The application site comprises 100 metres of riverbank immediately south of the entrance to Boundary Farm Staithe, a short distance south of Thurne Mouth at the confluence of the River Bure and River Thurne, on one of the busiest stretches of river in the northern Broads system.
- 1.2 In 2011 planning permission was granted for flood defence works as part of the Broadland Flood Alleviation Project in the majority of Compartment 9 (Left Bank of the River Bure between Thurne Mouth and Acle Bridge). This approved a combination of strengthening, rollback and set back of floodbanks. A planning condition was imposed on the permission requiring the submission of a separate planning application to allow removal of the piling which was no longer required, an application which was granted in 2015.
- 1.3 The section of piling to which this application relates was not removed as part of the previous scheme as at the time this was being used by the landowner for fishing; the piling is no longer required here for this purpose.
- 1.4 It is noted that the section of piling to which this application relates does not form part of the area previously leased for 24 hour moorings.
- 1.5 The proposal is to remove the 100 metres of piling and regrade the river bank edge. The applicants have noted that the new rollback banks have

established which allows for the original riverside sheet piling to be removed. Habitats including reeded rond which develop in front of the new floodbanks provide a sustainable form of erosion protection for the new flood defence.

- 1.6 The application included supporting details which explain how the works will be carried out as follows:

Removal of piles will be undertaken using methods successfully applied in several other BFAP compartments in recent years. Recent examples include Compartment 9, further downstream, removed in 2014-15. Following advance ecological mitigation the rond will be lowered to approximately mean high water springs level, material will be excavated from behind the piles to create a 1 in 1 slope and the piles will then be extracted. If there are sufficient reed rhizomes in the ground along the lowered rond and channel edge then these will be left to establish in the following spring and summer. If there are no signs of reed then these will be excavated from elsewhere on the site and placed along the new channel edge.

- 1.7 Material removed from behind the piles and during regarding of the rond will be placed on the crest or rear face of the floodbank to either strengthen the existing floodbank or be available for future use.
- 1.8 It is proposed to install erosion monitoring posts which would also act as channel markers to mark the channel at times of high tide. These are only required until sufficient reed growth has established and would subsequently be removed.

2 Site History

- 2.1 In 2010 consent was granted for flood bank works including strengthening, rollback, setback and crest piling of flood banks in the area labelled as Compartment 9, Left Bank of the River Bure between Thurne Mouth and Acle Bridge (BA/2010/0391/FUL).
- 2.2 In 2014 consent was granted for the removal of piling along the river's edge, and regrading of the edge and the original bank along the left (eastern) bank of the River Bure between Thurne Mouth and Acle Bridge (BA/2014/0297/FUL).

3 Consultation

Environment Agency - No objection. Note that permit may be required for works.

NCC Highways - No objection subject to a condition restricting access and egress to that shown on the submitted plans.

Norfolk and Suffolk Boating Association - Objection to loss of moorings.

Operations - No objection subject to conditions requiring removal of channel markers when no longer needed, details of piling return, and erosion protection, monitoring, and remedial works to be agreed as set out in the application.

Waterways - No objection subject to conditions requiring removal of channel markers when no longer needed, and details of piling return. Questions raised relating to absence of sonar survey and erosion protection measures.

Ecology - No objection subject to condition requiring piling removal to be carried out as outlined during winter months.

Navigation Committee - The application was considered by Navigation Committee at their meeting on 15 December 2016 and no objections were raised.

4 Representations

None received.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy Policy (2007)

[Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

CS3 - Navigation

CS4 - Creation of new resources

CS6 - Historic and cultural environment

CS15 - Water space management

Development Management DPD (2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP1 - The Natural Environment

DP2 - Landscape and trees

DP11 - Access to land

DP28 - Amenity

- 5.2 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

Development Management Plan DPD (2011)

DP13 - Bank Protection

6 Assessment

- 6.1 The application is for the removal of piling along the left bank of the River Bure at Oby, and re-grading of the river bank edge to form a reeded rond. The proposed works are part of the final stages of piling removal following floodbank works carried out in the section known as Compartment 9, namely the Left Bank of the River Bure between Thurne Mouth and Acle Bridge. The key areas of consideration are the impact on recreation and navigation, habitat and ecology, landscape, and highways access.

Navigation and Recreation

- 6.2 Planning application BA/2010/0391F showed pile removal as part of the proposal. The permission granted in 2011 included a planning condition retaining control of pile removal by requiring a separate permission (so as to retain control of works that could otherwise be detrimental to navigation interest and the character and appearance of the area).
- 6.3 The current piling is no longer required for erosion protection purposes and its removal is part of the strategy to deliver flood defences in a more sustainable manner. Existing piling is no longer of any benefit, its condition will only deteriorate so subject to the provision of navigation / channel markers, its removal will be a navigation benefit. Navigation markers are proposed and can be secured by planning condition to ensure they are retained until adequate vegetation is established and removed when no longer required. With regard to channel markers the BESL have stated the following:

Recent previous schemes, such as the previous piling removal in Compartment 9 and that being undertaken soon in Upton Dyke, have utilised the erosion monitoring posts as navigation markers. These posts are installed at the top of the regraded slope on the riverward edge of the rond. They can be painted the appropriate colour to act as navigation markers ensuring that the bank will be adequately marked until the vegetation grows. The posts can easily be removed when no longer required for navigation or monitoring purposes in agreement with the BA.

- 6.4 The Broads Authority's Waterways and Recreation Officer highlighted an issue relating to the proposed piling return to the southern end of the piling to be removed. BESL have commented on this point as follows:

Piling returns will be installed at the end of any remaining piling runs. Piling returns will be constructed using recycled piling of similar type to that remaining. They will be driven at an angle from the remaining piling

back into the road to prevent erosion occurring behind the retained piling.

It is considered appropriate that should planning permission be granted a condition be included requiring details to be submitted of the proposed piling return.

- 6.5 The Broads Authority's Waterways and Recreation Officer raised a point relating to sonar monitoring of the removed piling in response to which BESL has stated the following:

For clarification, the Hydrographic monitoring does consist of Sonar surveys.

It is considered that the proposed hydrographic monitoring will be sufficient to ensure that all piling has been removed and no hidden obstructions remain.

- 6.6 The Broads Authority's Waterways and Recreation Officer highlighted an issue relating to erosion protection of the new regraded edge. BESL have commented on this point as follows:

Several previous piling removal schemes have been undertaken where erosion protection has not been used. These include previous piling removal in Compartment 9 as well as similar schemes on the Rivers Bure, Thurne, Ant, Chet and Yare. Our experience, and regular monitoring, has shown that vegetation establishes rapidly in the spring following the works and erosion has been minimal. Monitoring will be undertaken following these proposed works and any local erosion problems will be assessed and appropriate action taken and erosion protection installed if necessary.

Erosion monitoring and remediation is addressed in section 5 of the submitted supporting statement it is considered that the monitoring techniques proposed in this application provide sufficient safeguards to ensure that should significant erosion take place, the applicant will ensure necessary remediation works take place. This would provide a key safeguard previously required in similar pile removal applications.

- 6.7 In relation to public access, the footpath along the floodbank will be diverted locally onto the folding at the bottom of the bank, with machine operators briefed that all operations must cease and bucket/grabbers placed on the ground when footpath users are within 50m of the machine. This is considered acceptable to ensure that public access is maintained and public safety is safeguarded.
- 6.8 In view of the above, the impact on navigation and recreation will be limited and result in no unacceptable harm to these interests. Therefore it is considered that the proposal is consistent with Policies CS3, CS15 of the Core Strategy and Policy DP13 of the Development Plan Document.

Flood risk

- 6.9 The planning consent granted in 2011 was on the basis of flood defences being provided in a more sustainable way through introducing roll back and set back floodbanks and thus reducing the need for hard engineered erosion protection in the form of piling, whilst ensuring no increase in flood risk either in the compartment, or up or down stream.
- 6.10 No objection has been raised, including from the Environment Agency, and the proposed pile removal will not result in any increase in flood risk as it does not materially alter the flood defence scheme approved. Therefore the proposed scheme is considered acceptable with regard to Policy CS4 of the Core Strategy, Policy DP29 of the Development Plan Document, and the NPPF.

Ecology

- 6.11 The works proposed would take place in the winter months. The supporting statement has addressed potential impacts on wildlife and this has been reviewed and considered satisfactory by the BA Ecologist. Whilst it is noted that winter is a period when there is a large number of wintering birds in the Broads, the proposed works associated with pile removal is limited to a narrow corridor of a very limited length, outside any designated site and therefore will have very limited impact. It is noted that no objections were received in relation to the previous Compartment 9 applications. Therefore it is considered that works will not impact on ecological interest, with regard to Policies CS1, CS4 of the Core Strategy, and Policy DP1 of the Development Plan Document.

Highway Access

- 6.12 A single construction access route is shown on the submitted plans, this has been reviewed by the County Highway Authority who have raised no objection subject to a planning condition requiring that only the route shown be used. The scheme is therefore considered acceptable on highway grounds.

Appearance

- 6.13 The proposed approach to pile removal will ensure that the re-profiled bank will provide a more natural appearance in the Broads landscape, contributing to conserving the landscape and scenic beauty of the Broads, consistent with the aims of Policy CS4 of the Core Strategy, Policy DP1 of the Development Plan Document, and the NPPF.

Residential Amenity

- 6.14 With regard to residential and visitor amenity, taking into account the timing of works during the darker winter months, limited number of residential properties close by, and limited visitors and boating activity, it is considered that there will not be unacceptable on amenity through the duration of the works, with regard to Policy DP28 of the Development Plan Document.

Loss of Moorings

- 6.15 It is noted that the NSBA have raised an issue in relation to loss of the previous 24 mooring in this area, however it is noted that the section of piling to which this application relates was not part of the former mooring area.

7 Conclusion

- 7.1 The proposed removal of piling along the left bank of the River Bure at Oby, and re-grading of the river bank edge to form a reeded rond would be beneficial to the landscape of the Broads and would not result in unacceptable impacts navigation, recreation, ecological, highway, and amenity, and would not increase flood risk elsewhere, consequently the application is considered to be acceptable with regard to Policies CS1, CS3, CS4 and CS15 of the Core Strategy, and Policies DP1, DP13, and DP28 of the Development Plan Document.
- 7.2 The application proposes pile removal which follows the establishment and consolidation of set back and roll back floodbanks where bank settlement has taken place. The piling to be removed is no longer required for flood defence purposes. The pile removal will not increase flood risk in the compartments or elsewhere in the area. It is considered that with the imposition of planning conditions; navigation, recreation, ecological, highway, amenity and other interests can be protected and the proposal would meet the key tests of development plan policy and would be consistent with NPPF advice.

8 Recommendation

- 8.1 Approve, subject to conditions:
- (i) Time limit.
 - (ii) In accordance with approved plans and supporting statement.
 - (iii) Erosion protection monitoring
 - (iv) Navigation hazard markers
 - (v) Construction traffic routes
 - (vi) Period for working (October – March only)

9 Reason for recommendation

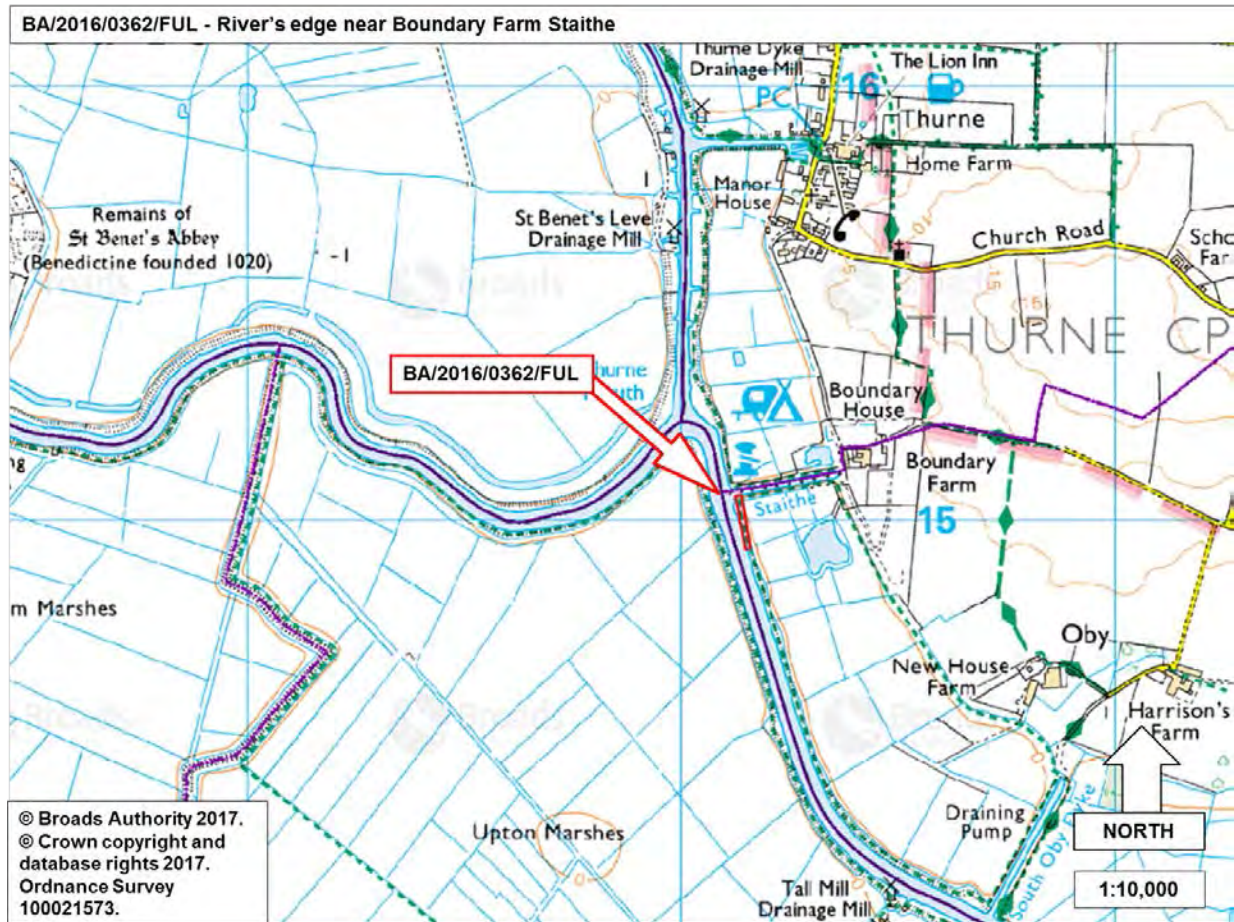
- 9.1 The proposal is considered to be in accordance with Policies CS1, CS3, CS4 and CS15 of the Core Strategy (2007), Policies DP1, DP13, and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

Background papers: Application File BA/2016/0362/FU

Author: Nigel Catherall
Date of Report: 18 January 2017

List of Appendices: APPENDIX 1 - Location Plan

APPENDIX 1



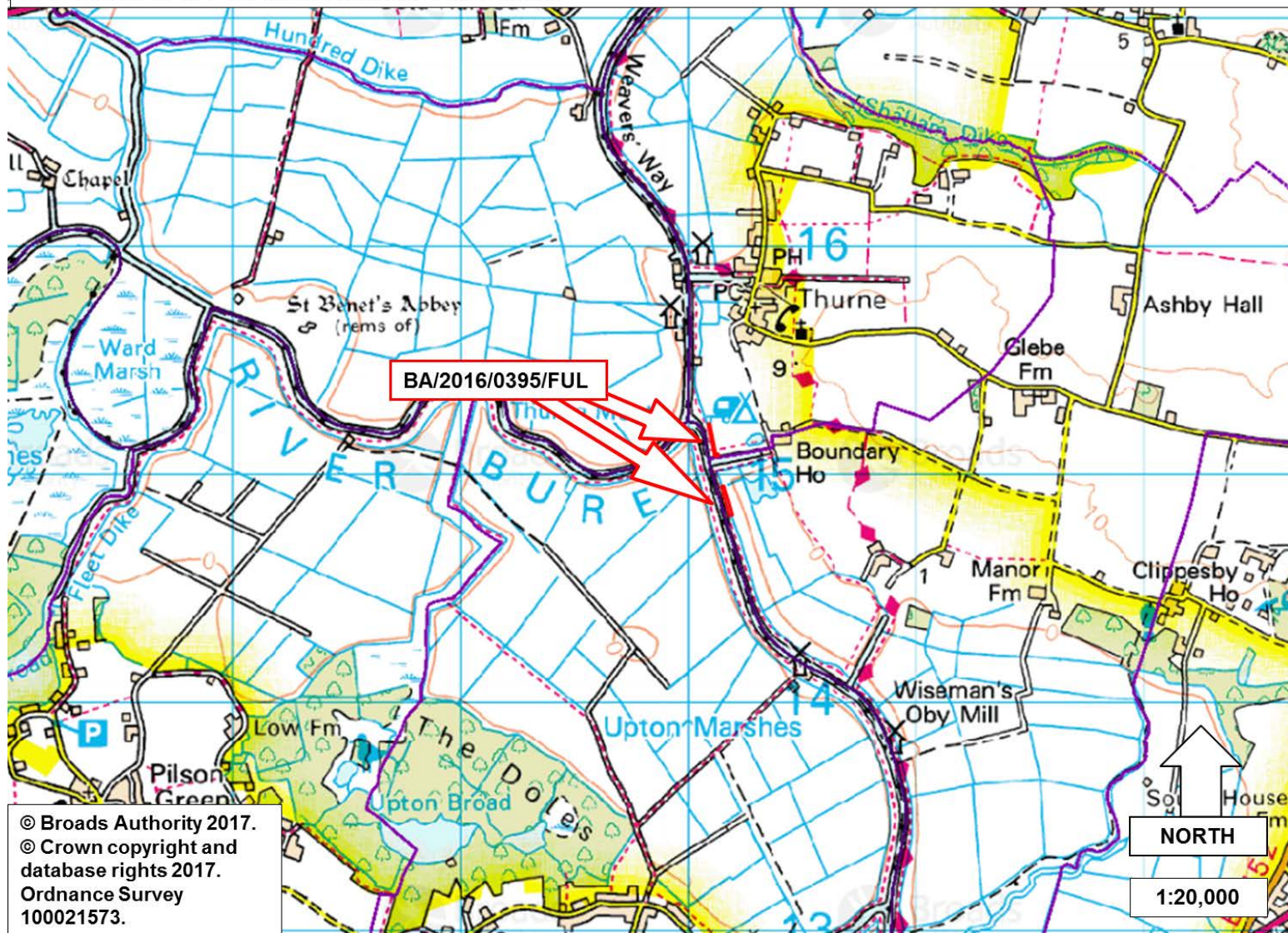
Reference:

BA/2016/0395/FUL

Location

River's edge near Boundary Farm Staithe, River
Bure, Ashby with Oby

BA/2016/0395/FUL - Land Adj Boundary Farm Staithe



Application for Determination

Parish	Ashby with Oby
Reference	BA/2016/0395/FUL Target date 3 January 2017
Location	Rivers Edge Near Boundary Farm Staithe, River Bure, Ashby With Oby
Proposal	Removal of piling at two sections along the left bank of the River Bure at Oby, re-grading of the river bank edge to form a reeded rond, and installation of pontoon moorings.
Applicant	Environment Agency
Recommendation	Approve subject to conditions
Reason for referral to Committee	Public interest

1 Description of Site and Proposals

- 1.1 The application site comprises a total of 288 metres of riverbank at two sections, one to the north of the entrance to Boundary Farm Staithe, and one to the south of the entrance to Boundary Farm Staithe. The site is located a short distance south of Thurne Mouth at the confluence of the River Bure and River Thurne, on one of the busiest stretches of river in the northern Broads system.
- 1.2 In 2011 planning permission was granted for flood defence works as part of the Broadland Flood Alleviation Project in the majority of Compartment 9 (Left Bank of the River Bure between Thurne Mouth and Acle Bridge). This approved a combination of strengthening, rollback and set back of floodbanks. A planning condition was imposed on the permission requiring the submission of a separate planning application to allow removal of the piling which was no longer required, an application which was granted in 2015.
- 1.3 The two sections of piling to which this application relates were not removed as part of the previous scheme as at that time this was being leased by the Broads Authority and utilised as 24 hour moorings; the lease expired in 2014 and the mooring use ceased, and the piling is no longer used here for this purpose.
- 1.4 The proposal as originally submitted was to remove the 288 metres of piling and regrade the river bank edge as the landowner did not wish for mooring to be continued using the piled bank. However, following a meeting between the

landowner, and other parties including his agent, and the Broads Authority, an alternative proposal was put forward which would involve removal of piling and regrading the bank, with the addition of the installation of two 100m pontoons which would be used for visitor mooring, this being the subject of this application. To ensure adequate space within the river for the pontoons the profile of the regraded riverbank will be moved landward by approximately 2 metres at the toe. The revised proposal has been the subject of full consultation.

- 1.5 The applicants have noted that the new rollback banks have established which allows for the original riverside sheet piling to be removed. Habitats including reeded rond which develop in front of the new floodbanks provide a sustainable form of erosion protection for the new flood defence. Floating pontoons would be installed to provide moorings to the front of the reeded rond, attached to vertical steel piles, with walkways at both ends of each length of pontoon providing access to the land.

- 1.6 The application included supporting details which explain how the works will be carried out as follows:

Removal of piles will be undertaken using methods successfully applied in several other BFAP compartments in recent years. Recent examples include Compartment 9, further downstream, removed in 2014-15. Following advance ecological mitigation the rond will be lowered to approximately mean high water springs level, material will be excavated from behind the piles to create a 1 in 1 slope and the piles will then be extracted. If there are sufficient reed rhizomes in the ground along the lowered rond and channel edge then these will be left to establish in the following spring and summer. If there are no signs of reed then these will be excavated from elsewhere on the site and placed along the new channel edge.

- 1.7 Material removed from behind the piles and during regrading of the rond will be placed on the crest or rear face of the floodbank to either strengthen the existing floodbank or be available for future use.
- 1.8 Floating pontoons attached to vertical steel piles will be included along the two lengths of piling removal. The pontoons would effectively be cut into the line of riverbank as it exists, this allows sufficient space for the reeded rond and ensures minimal encroachment on navigation. Members will be updated orally on the exact specification of the pontoons as at the date of the report the final drawings are still being prepared..

2 Site History

- 2.1 In 2010 consent was granted for flood bank works including strengthening, rollback, setback and crest piling of flood banks in the area labelled as Compartment 9, Left Bank of the River Bure between Thurne Mouth and Acle Bridge (BA/2010/0391/FUL).

- 2.2 In 2014 consent was granted for the removal of piling along the rivers edge, and regrading of the edge and the original bank along the left (eastern) bank of the River Bure between Thurne Mouth and Acle Bridge (BA/2014/0297/FUL).

3 Consultation

Environment Agency - No objection. Note that permit may be required for works.

NCC Highways - No objection subject to a condition restricting access and egress to that shown on the submitted plans.

Norfolk and Suffolk Boating Association – Objection received to application as originally submitted, on grounds of loss of moorings. No comment received on amended scheme.

Broads Hire Boat Federation - Objection received to application as originally submitted, on grounds of loss of moorings. No comment received on amended scheme.

Operations Directorate- Concerns raised to application as originally submitted, over loss of piling and potential for erosion. Following receipt of amended scheme, comments revised to:

- The major concern relates to cutting back the bank; having looked at the BESL / Solent Marine drawings it is important that we are clear on the cut required into the existing bank line to accommodate the pontoons. To simply allow for a run of 2m wide pontoons the existing bank line will need to be cut back 3.6m minimum (if the pontoons are to be kept entirely within the current piling line)
- The access ramps may be heavy and list the pontoons, so as per Solent Marines drawing, they have allowed for a float at the end of the ramp, behind the main run of pontoons. To allow for this the existing bank line will need to be cut back 5.5m minimum (at least locally to the access ramps) to keep the pontoons within the current piling line. In addition there will need to be room on the bank top for a plinth to hinge the ramp on to
- The proposed run of 99m of pontoon with only one access & egress ramp would be unsuitable, we would like to see at least two access/egress points
- Looking at the drawings the Mean Low Water level incorrect (actual is lower than shown). This would have an effect on the mounting and length of access/egress ramps. Please refer to the attached sketch for the correct figures
- The Pontoons are shown as 'Hardwood Timber' decked – this surface does become very slippery when wet. We should be specifying a GRP grid deck system (like the de-masting pontoons at Breydon) as its free draining, highly resistant against slipping and low maintenance
- The details are not clear about a handrail (are the rear of the pontoon) or any lighting (as they will protrude out from the bank) We will need to

- ensure the development includes ladders on the ends of the pontoons as per normal practice and rails at the rear of the pontoons
- The River width at this location is good and with a 'bank roll back' to ensure the pontoons stay on the current piling line the pontoons would have a minimal effect of the available navigation
 - Pontoons are a good investment, if the land lease ever fails or is not renewed the pontoon moorings can be relocated
 - Pontoons are relatively low maintenance and cheaper than a traditional piled & surfaced mooring (if purchase is correct)
 - This is a very busy mooring with lots of hire boats which on occasion come into moor quite heavily so it will be worth considering that these pontoons may not last as long as initially planned due to the potential for miss-use. Also provision a little more for maintenance
 - We may want to consider how we can encourage people not to light barbeques on the pontoon, alternatively we could provide some sort of on shore facility which they could safely use and not damage the pontoon. The navigation committee was also told that refuse facilities would be provided on the bank, should these also be shown on the drawings for completeness?

Waterways and Recreation Team- Concerns raised over application as originally submitted around loss of piling and potential for erosion. Following receipt of amended scheme, comments revised to:

- In general I support the provision of moorings in this location by way of pontoons. However, the issue of encroachment on the river needs to be resolved as the [Navigation] Committee commented on the basis that there would be no encroachment and the drawings show the pontoons inside the existing pile line. The issue of encroachment was in fact raised in the Navigation Committee with one member suggesting that more of the bank should be cut away to be absolutely sure that no encroachment takes place. In my view it will be necessary to install floats at the ends of the access ramps and a concrete plinth on the bank to support the landward ends of the ramps as our experience is that weight of these ramps can cause the pontoons to list. This will mean that a 5.5m cut back would be required at the ramp points to accommodate the ramp and floats within the pile line and that may be difficult to achieve because of the rond width shown on the BESL drawing. In my previous consultation response I already raised the fact that this is one of the busiest reaches in the Broads for boat movements as demonstrated in the boat census and given the fact that it is also a very important sailing area there is likely to be opposition to any proposal that results in loss of width. In navigation terms I do not consider that encroachment would be acceptable at the previous Thurne Mouth mooring site (the area upstream of Boundary Farm Dyke Nearest Thurne Mouth).

I would also support the following points that have been raised:

- that safety ladders should be installed at the ends of the pontoons
- that a back safety rail for the pontoons should be included in the design

- that lighting should be considered if the pontoons are installed outside the existing pile line
- that the GRP non-slip deck referred to in {The Operations Directorate} email should be used for the surface;
- that at least two access ramps should be installed as quite a length of pontoons is proposed.

Ecology - No objection subject to condition requiring piling removal to be carried out as outlined during winter months.

Landscape

- I have reviewed the revised documents and the comments previously made by Lesley Marsden, and have no objections to the amended proposals. The introduction of pontoon moorings will have some impact on landscape character, however this is not considered to be of greater negative impact than the existing piling, and the establishment of reed will help mitigate any impact
- The following comments made previously remain relevant to the amended proposal: Further details of the reed planting needs to be ascertained along with the proposed management and maintenance programme. I am happy that this information is conditioned. There may be a need to provide some form of temporary protection along the frontage to encourage the establishment of the reed. Can they provide details of this as well if they think it is necessary

Navigation Committee - The application, as amended, was considered by Navigation Committee at their meeting on 15 December 2016. An extract from the draft Navigation Committee minutes is shown below:

“One Member was concerned that the pontoons and moored boats would take up more than 2 metres and therefore enquired whether there was a chance of pulling back the river bank for more than 2 metres. Officers agreed to ask whether this could be done.

A number of Members pointed out that this stretch of the river was one of the busiest waterways on the Broads and an important location for organized events, including the annual regatta in May. Members agreed that moorings here were crucial, and therefore welcomed the planning application allowing pontoons for public use. “

4 Representations

- 4.1 Five responses to the initial scheme were received, four objecting to the loss of moorings, one stating that the works would harm the beauty of the Broads. A second consultation for the amended scheme was undertaken, two replies were received, both questioning the process of amending a live application and raising issues of lack of rubbish bins and impacts on appearance of the river and surrounding landscape. In addition one response raised issues of adverse impacts on wildlife, and health and safety relating to a lack of access to the riverbank for one of the pontoons.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy Policy (2007)

[Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

CS3 - Navigation

CS4 - Creation of new resources

CS6 - Historic and cultural environment

CS9 - Sustainable tourism

CS14 - Visitor moorings

CS15 - Water space management

Development Management DPD (2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP1 - The Natural Environment

DP2 - Landscape and trees

DP11 - Access to land

DP28 - Amenity

- 5.2 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

Development Management Plan DPD (2011)

DP12 - Access to water

DP13 - Bank Protection

6 Assessment

- 6.1 The application is for the removal of piling at two sections along the left bank of the River Bure at Oby, re-grading of the river bank edge to form a reeded rond, and installation of two floating pontoons attached to vertical steel piles located to the rear of the pontoon. The proposed works mark the final stage of piling removal following floodbank works carried out in the section known as Compartment 9, namely the Left Bank of the River Bure between Thurne Mouth and Acle Bridge. The key areas of consideration are the impact on recreation and navigation, habitat and ecology, landscape and river scene, and highways access.

Navigation and Recreation

- 6.2 Planning application BA/2010/0391/FUL showed pile removal as part of the proposal. The permission granted in 2011 included a planning condition to retain control of pile removal by requiring a separate permission (so as to retain control of works that could otherwise be detrimental to navigation interest and the character and appearance of the area).
- 6.3 The current piling is no longer required for erosion protection purposes following the floodbank works, and its removal is part of the strategy to deliver flood defences in a more sustainable manner. The piling was utilised by the Broads Authority as 24 hour moorings but this use ceased in 2014. Subsequent negotiations with the landowner yielded no agreement, and the landowner made it clear that any future use as moorings could not be with piling, it therefore serves no purpose.
- 6.4 The previous 24 hour moorings were one of the most popular moorings on the Broads system and their loss did not go unnoticed. Indeed from reading the responses to the initial application which proposed the removal of piling and was seemingly taken as a sign that mooring in this location was over, it is clear that there is still a great deal of interest in the loss of moorings in this location, even two years after their closure. Whilst it is clear that mooring against a piled riverbank was not an option, the amendment to the original proposal to include floating mooring pontoons allows for the removal of the existing piling, regrading of the bank and establishment of a reeded rond, but with the addition of re-establishing mooring at this popular location.
- 6.5 The proposed pontoons would in effect be cut into what is the existing bank. The bank would be regraded to create a 1 in 1 slope, this would bring the line of the riverbank back by approximately 3 metres, and it is within this area that the pontoons would sit. The 100m long pontoons would each be attached to 5 tubular steel piles and guides which would protrude above the mean water level by approximately 2.9 metres. To the land side of the pontoons would be the reeded rond which will provide natural erosion protection for the regraded bank.
- 6.6 In relation to the existing line of the piled riverbank and the river width which this allows, the proposed regrading of the bank and siting of the mooring pontoons within the cut back area would minimise any reduction of the existing width of the river and create only a slight intrusion into the navigable width of the river. The protrusion beyond the existing piled edge would be likely to be around a metre and given the width of the river at this location the loss of around one metre is not considered to be significant and would have no demonstrable impact on navigation. Whilst the pontoons would move on the vertical axis, there would be no movement on the horizontal axis.
- 6.7 Navigation markers are proposed to provide clear indication of the river width prior to installation of the mooring pontoons and until adequate vegetation is established, this can be secured by planning condition to ensure they are

retained until no longer required. With regard to channel markers the BESL have stated the following:

Recent previous schemes, such as the previous piling removal in Compartment 9 and that being undertaken soon in Upton Dyke, have utilised the erosion monitoring posts as navigation markers. These posts are installed at the top of the regraded slope on the riverward edge of the road. They can be painted the appropriate colour to act as navigation markers ensuring that the bank will be adequately marked until the vegetation grows. The posts can easily be removed when no longer required for navigation or monitoring purposes in agreement with the BA.

- 6.8 With regard to erosion protection of the new regraded riverbank edge, BESL have commented as follows:

Several previous piling removal schemes have been undertaken where erosion protection has not been used. These include previous piling removal in Compartment 9 as well as similar schemes on the Rivers Bure, Thurne, Ant, Chet and Yare. Our experience, and regular monitoring, has shown that vegetation establishes rapidly in the spring following the works and erosion has been minimal. Monitoring will be undertaken following these proposed works and any local erosion problems will be assessed and appropriate action taken and erosion protection installed if necessary.

Erosion monitoring and remediation is addressed in section 5 of the submitted supporting statement it is considered that the monitoring techniques proposed in this application provide sufficient safeguards to ensure that should significant erosion take place, the applicant will ensure necessary remediation works take place. This would provide a key safeguard previously required in similar pile removal applications.

- 6.9 A point was initially raised by the Broads Authority's Operations Directorate in relation to a scour hole which exists at the upstream end of the existing piling at Thurne Mouth, citing the risk of high erosion rates in this area and the potential to impact on mooring upstream. The Broads Authority Rivers Engineer has provided hydrographic survey data and offered the following comments:

There is a scour immediately down stream of Thurne Mouth and the channel is relatively deep with the main flow along the existing Thurne Mouth piling. In addition this has high boat traffic and associated wash. In recent years we have dredged a large shoal from the inside of this bend, but there is a natural tendency for silt to accumulate significantly on this bend which squeezes the flow eastward toward that bank.

Whilst this point is acknowledged it is not a basis for a refusal of the proposed piling removal taking into account that erosion protection measures are proposed and monitoring of the regraded bank is proposed. This point is

reinforced by the Broads Authority Rivers Engineer who commented that because of the scour erosion, protection must be part of the current scheme. It is proposed to re-site some of the removed piles to the area adjacent to the scour, this would provide a good level of bank protection, and also ensure that the access to and from the floating pontoon which is located at the area adjacent to the scour is maintained.

- 6.10 The Broads Authority's Waterways and Recreation team, and the Operations Directorate both highlighted an issue relating to the proposed piling return to the southern end of the piling to be removed. BESL have commented on this point as follows:

Piling returns will be installed at the end of any remaining piling runs. Piling returns will be constructed using recycled piling of similar type to that remaining. They will be driven at an angle from the remaining piling back into the pond to prevent erosion occurring behind the retained piling.

It is considered appropriate that should planning permission be granted a condition be included requiring details to be submitted of the proposed piling return.

- 6.11 Access ramps are proposed at both ends of the two proposed sections of pontoon, this being the minimum provision which is required, and is considered to be an adequate provision given the length of the pontoons which are around 100 metres in length. In addition a GRP non-slip deck is proposed, safety ladders, and a safety rail to the rear edge of the pontoons, this addressing the majority of points raised by consultees. The outstanding point is the provision of lighting which is considered to not be appropriate in this location and not justifiable on safety grounds.
- 6.12 In relation to public access, the footpath along the floodbank will be diverted locally onto the folding at the bottom of the bank, with machine operators briefed that all operations must cease and bucket/grabbers placed on the ground when footpath users are within 50m of the machine. This is considered acceptable to ensure that public access is maintained and public safety is safeguarded.
- 6.13 In view of the above, the impact on navigation and recreation will be limited and result in no unacceptable harm to these interests. Therefore it is considered that the proposal is consistent with development plan policies CS3, CS15 and DP13.

Flood risk

- 6.14 The planning consent granted in 2011 was on the basis of flood defences being provided in a more sustainable way through introducing roll back and set back floodbanks and thus reducing the need for hard engineered erosion protection in the form of piling, whilst ensuring no increase in flood risk either in the compartment, or up or down stream.

- 6.15 No objection has been raised, including from the Environment Agency, and the proposed pile removal will not result in any increase in flood risk as it does not materially alter the flood defence scheme approved. Therefore the proposed scheme is considered acceptable with regard to development plan policies CS4 and DP29, and the NPPF.

Ecology

- 6.16 The works proposed would take place in the winter months. The supporting statement has addressed potential impacts on wildlife and this has been reviewed and considered satisfactory by the BA Ecologist. Whilst it is noted that winter is a period when there is a large number of wintering birds in the Broads, the proposed works associated with pile removal is limited to a narrow corridor of a very limited length, outside any designated site and therefore will have very limited impact. It is noted that no objections were received in relation to the previous Compartment 9 applications. Therefore it is considered that works will not impact on ecological interest, with regard to development plan policies CS1, CS4 and DP1.

Highway Access

- 6.17 A single construction access route is shown on the submitted plans, this has been reviewed by the County Highway Authority who have raised no objection subject to a planning condition requiring that only the route shown be used. The scheme is therefore considered acceptable on highway grounds.

Appearance

- 6.18 The proposed pile removal and re-profiled bank with a reeded rond will provide a more natural appearance in the Broads landscape. It is noted that floating pontoons would be provided to the front of the profiled bank for much of its length and this would intrude to some level on the natural appearance in this area, although impacts on the Broads landscape would be predominantly restricted to views from the river.
- 6.19 The existing appearance must be considered in relation to the proposed, this comprises a piled edge to the river, behind which is a flat grassed bank. The change to floating pontoons will allow for reed rhizomes to be planted behind the pontoons, this will provide a natural backdrop to the mooring area and result in an overall improvement to views of the landscape on this section of the Broads system.
- 6.20 Whilst it is acknowledged that the steel piles and guides which the pontoons attach to will protrude some distance above the water level and riverbank, the background of reeds will for the most part ensure a very limited presence in views across the landscape, and sufficient distances are maintained between piles and guides to help ensure no clustering. It should also be noted that the provision of moorings is supported by planning policy and where there are such limited impacts on the landscape of the Broads then additional visitor

mooring provision should outweigh any harm where it is considered that this is of a reasonable level and would not be contrary to other policies. In this case overall it is considered that the removal of the existing piling and installation of floating pontoons would to some extent contribute to conserving and improving the existing landscape and scenic beauty of the Broads. It is therefore considered that the proposal is consistent with the aims of development plan policies CS4 and DP1, and the NPPF.

Residential Amenity

- 6.21 With regard to residential and visitor amenity, taking into account the timing of works during the darker winter months, limited number of residential properties close by, and limited visitors and boating activity, it is considered that there will not be unacceptable on amenity through the duration of the works, with regard to development plan policy DP28.

Other Matters

- 6.22 The provision of litter bins has been raised in consultation responses. The provision of bins at a visitor mooring is not considered to be a planning consideration, and the provision of bins at Broads Authority 24 hour moorings has not been a part of any previous scheme. Boaters are expected to take their rubbish with them and this is promoted by companies who hire boats. Anecdotally it has been pointed out that even with provision of bins people will still litter and that the problem goes far beyond bins being provided.

7 Conclusion

- 7.1 The proposed removal of piling at two sections along the left bank of the River Bure at Oby, re-grading of the river bank edge to form a reeded rond, and installation of floating pontoons would not be detrimental to the landscape of the Broads and would not result in unacceptable impacts on navigation, recreation, ecological, highway, and amenity, and would not increase flood risk elsewhere, consequently the application is considered to be acceptable with regard to Policies CS1, CS3, CS4, CS14, and CS15 of the Core Strategy, and Policies DP1, DP12, DP13, and DP28 of the Development Plan Document.

8 Recommendation

- 8.1 Approve, subject to conditions:

- (i) Time limit
- (ii) In accordance with approved plans and supporting statement
- (iii) Erosion protection monitoring and remediation
- (iv) Navigation hazard markers
- (v) Construction traffic routes
- (vi) Period for working (October – March only)

9 Reason for recommendation

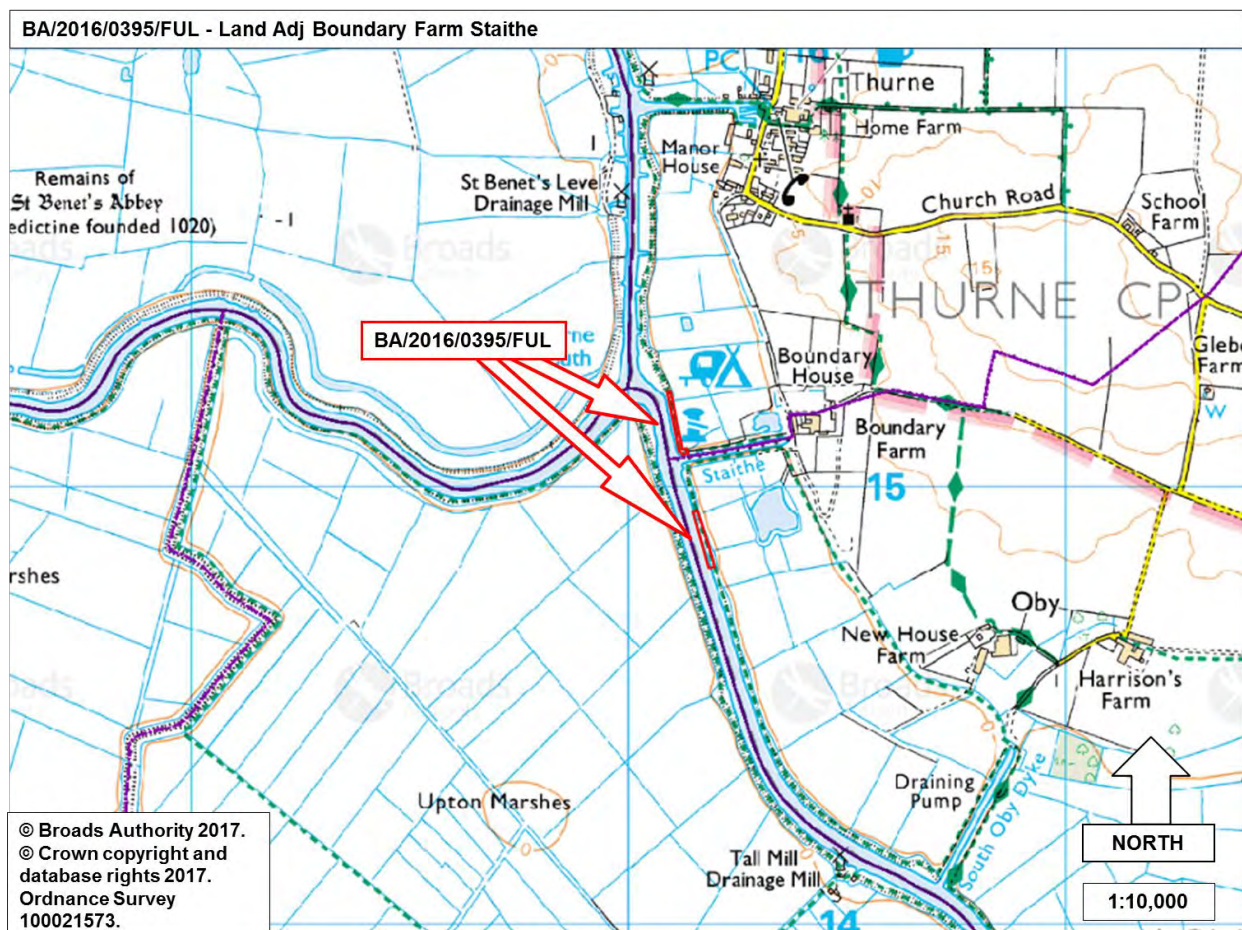
- 9.1 The proposal is considered to be in accordance with Policies CS1, CS3, CS4, CS14, and CS15 of the Core Strategy (2007), Policies DP1, DP12, DP13, and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

Background papers: Application File BA/2016/0395/FUL

Author: Nigel Catherall
Date of Report: 19 January 2017

Appendices: APPENDIX1 – Location Plan

APPENDIX 1



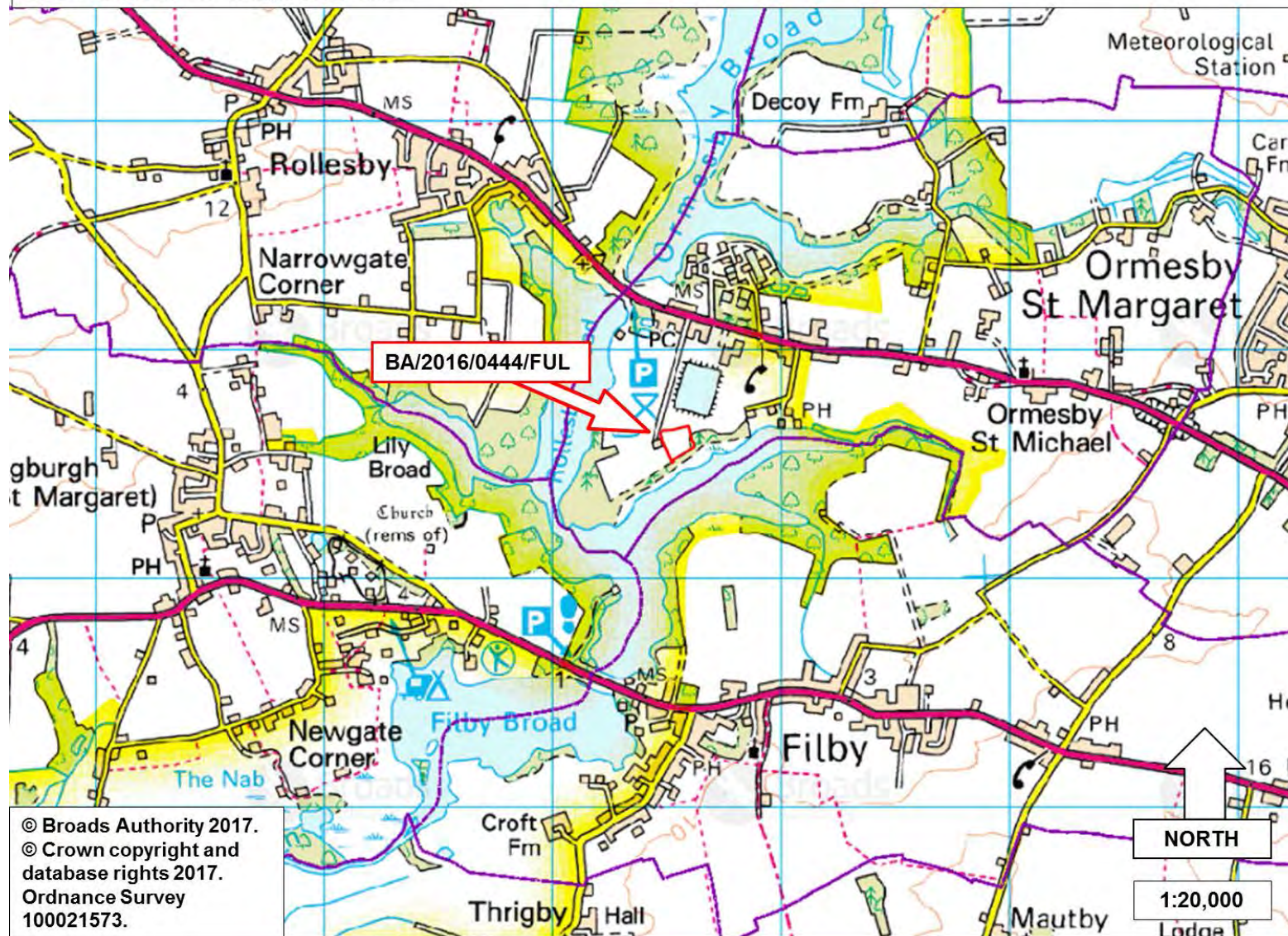
Reference:

BA/2016/0444/FUL

Location

Burghwood Barns, Burghwood Road, Ormesby St
Michael

BA/2016/0444/FUL - Burghwood Barns



Application for Determination

Parish	Ormesby St Michael		
Reference	BA/2016/0444/FUL	Target date	14 February 2017
Location	Burghwood Barns, Burghwood Road, Ormesby St Michael		
Proposal	Retrospective change of use to residential, garage, pond enlargement, new shed, roller-shutter doors on existing shed, alterations to windows, 4 additional car parking spaces and landscaping alterations.		
Applicant	Mr D Tucker and Miss S Burton		
Recommendation	Site Visit		
Reason for referral to Committee	Director discretion		

1 Background

- 1.1 The application site is a dwellinghouse at Burghwood Barns, Burghwood Road, Ormesby St Michael. Within the village of Ormesby St Michael residential development is interspersed with significant areas of waterworks operations and this development is concentrated in a ribbon along the A149 road that runs through the village towards Great Yarmouth to the east. Burghwood Road is an unmade road leading south from the A149 with residential development at the northern end, a sailing club, agricultural/horticultural land and a significant reservoir south of this and two dwellings at the southern extent over 500 metres from the road, one of which is the application site.
- 1.2 The application dwelling is a converted barn and to the west of this stands the retained farmhouse (Burghwood Farmhouse). These dwellings are isolated from the rest of the village and surrounded to the south, east and west by agricultural land and woodland on the edge of, but not visible from, Ormesby Little Broad, one of the Trinity Broads. The site is within five metres of Special Area of Conservation and Site of Special Scientific Interest designations.
- 1.3 The converted red brick barn lies to the northwest of the site on an approximate east-west axis and the permission for the conversion included curtilage to the east and south, an area of approximately 1,850 square metres in total. In 2013, retrospective planning permission was granted to extend this further to the south and east, regularising a change of use from agricultural

land which had already occurred (BA/2013/0271/CU). The permission also included the retention of curtilage buildings which had been erected without planning permission: a two bay carport to the north of the dwelling and timber shed and summerhouse to the south. A new greenhouse was also to be provided northeast of the dwelling along the northern site boundary and this has since been built. An existing attached garage was to be converted to residential accommodation and this has also been completed.

- 1.4 Since the approval of the 2013 application, further unauthorised development has occurred including the annexation of further agricultural land and its use and development as residential garden. There have been previous attempts to regularise this and a full account of the site history shall be provided to the Committee in due course. Most recently, an application proposing retaining the development as it currently exists was considered (BA/2016/0209/FUL). This application covered the proposed retention of: the change of use of 11,000 square metres of agricultural land as residential curtilage; a large pond; two storage buildings; gazebo; alterations to existing buildings; and, other ancillary residential development. This was refused under delegated powers in September 2016 due to: the significant direct adverse impact it would have on the local landscape character; the significant adverse impact it would have on the perceptual qualities of the area and experience of tranquillity adjacent to the Trinity Broads; the built development was considered unacceptable in character and design, exacerbating the impact of the change of use of land; and, the impact on the character and appearance of the dwelling.
- 1.5 Further to this refusal of planning permission there have been discussions with the landowner and his agent around regularising the unauthorised development and what might be acceptable on the site. This has led to the submission of a further application.

2 Proposals

- 2.1 The current application proposes retaining agricultural land as residential curtilage. This would consist of the area approved under the 2013 application of approximately 1,000 square metres, the additional 1,000 square metres east of this which the 2013 permission required to be planted with native trees and shrubs, a large pond along the eastern boundary of the site within an area of approximately 2,900 square metres and a gravel access track and development along the northern boundary. In total this area measures approximately 6,000 square metres larger than the original curtilage and 5,000 square metres larger than that approved in 2013. It does not include an additional 6,000 square metres covered in the refused 2016 application.
- 2.2 This change of use has been completed and operational development has taken place within in. The area of additional curtilage approved in 2013 is grassed and there is children's play equipment upon it. The area immediately east of this (which was to be planted) is a continuation of this lawn. A wide paved path runs along the eastern and northern edge of the lawn and a fence and newly planted silver birch trees separate the lawn from the access track

to the north. This is all proposed to be retained as it is. A new 1.2 metre high post and wire mesh fenceline is proposed along the southern boundary of this lawn area and a mixed native species hedge would be planted on the southern side of it.

- 2.3 To the east, a large pond has been excavated in an irregular shape measuring approximately 27 metres by 65 metres at the maximum extents. A scheme has been submitted to enhance this pond for biodiversity and landscape benefits by re-grading the steep sides, allowing the fish to be predated and a more natural system to develop and providing new planting within and around the pond. A post and rail fence encloses the pond to the north and west and a 1.8 metre high timber post and wire fence runs around the eastern and southern site boundaries and oak and birch trees are proposed to be provided on the outside of this with climbing plants added to the fence enclosing the pond to the north. The paved path also continues into this area along the western side of the pond.
- 2.4 A gravel access track runs east-west through the site north of the lawn and pond. On the northern side of this exists the previously approved greenhouse. Next to this are four raised brickwork enclosed vegetable beds. East of these is a large building used for storage, largely of tools and machinery used in the maintenance of the site. It is described as a garage in the application but not deep enough to accommodate a standard family car. It measures approximately 16.5 metres long and 4.7 metres deep. The monopitch roof has a maximum height of 3.5 metres and an overhang over the south elevation. Along the south elevation there are four openings with wood effect roller shutter doors, the easternmost of which is 4.7 metres wide and the other three are 3 metres wide. This building has brown stained timber clad walls and a felt covered roof. The application proposes retaining the building but adding a dual pitched roof with pantile covering and providing timber side hung double doors to each opening in front of the roller shutters which would be retained.
- 2.5 An oil tank stands to the east of the storage building and 11 metres from this there is a brick edged fire pit in the ground. Adjacent to this in the northeast corner of the site there is a further building. It is orientated at 90 degrees to the storage building and approximately 11 metres from it. In footprint it measures approximately 5.5 metres by 8 metres and 2.8 metres to the maximum of the monopitch roof. This building has two off-centre openings without doors and black stained timber clad walls. A new dual pitched roof with pantile covering is also proposed for this.
- 2.6 The existing car port (built without planning permission but regularised under the 2013 permission) was originally open fronted but has also had roller shutter doors added. As permitted development rights were removed, this alteration also required permission and the application seeks to regularise it.
- 2.7 The attached garage which was converted to residential accommodation under the 2013 permission was completed at variance to the approved plans and it is proposed to retain it as built with larger window openings.

- 2.8 An existing shed and summerhouse adjacent to the western site boundary which were regularised under the 2013 permission are proposed to have bat boxes added and climbing plants to grow up them. A roller shutter door has also been added to the shed without permission and the application proposes replacing or fronting this with timber side hung doors as it had when first built.
- 2.9 As identified at 2.1 above, this application does not include a further approximately 60,00 square metres of agricultural land to the south which has been developed and used as residential curtilage without the benefit of planning permission. This area is also grassed with a 1.8 metre wide paved path around the edge enclosed by ornamental planting and a 1.8 metre high fence. A large metal gazebo structure sits in the southwest corner. All this development remains unauthorised and a timetable for the removal of the operational development and reversion to agricultural use has been requested. The applicants have an opportunity (until March 2017) to appeal the refusal of planning permission but have not yet availed themselves of this.

3 Consultation

Parish Council – No response.

District Member – No response.

Natural England – The proposal is unlikely to affect any statutorily protected sites or landscapes.

4 Representations

None received.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy (adopted 2007)

[Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

CS5 - Historic and Cultural Environments

Development Management Policies DPD (adopted 2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP1 - Natural Environment

DP2 - Landscape and Trees

DP4 - Design

Site Specific Policies Local Plan (adopted 2014)

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

XNS1 - Trinity Broads

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD (adopted 2011)

DP21 - Conversion of Buildings in the Countryside

DP28 - Amenity

Neighbourhood plans

- 5.3 There is no neighbourhood plan in force in this area.

6 Recommendation

- 6.1 It is recommended that Members undertake a site visit prior to considering the application which proposes altering and regularising unauthorised development. This is a complex site with a complex planning history, and, regrettably, a history of unauthorised development and retrospective applications. It is considered Members would benefit from viewing the proposals on site prior to determining the application.

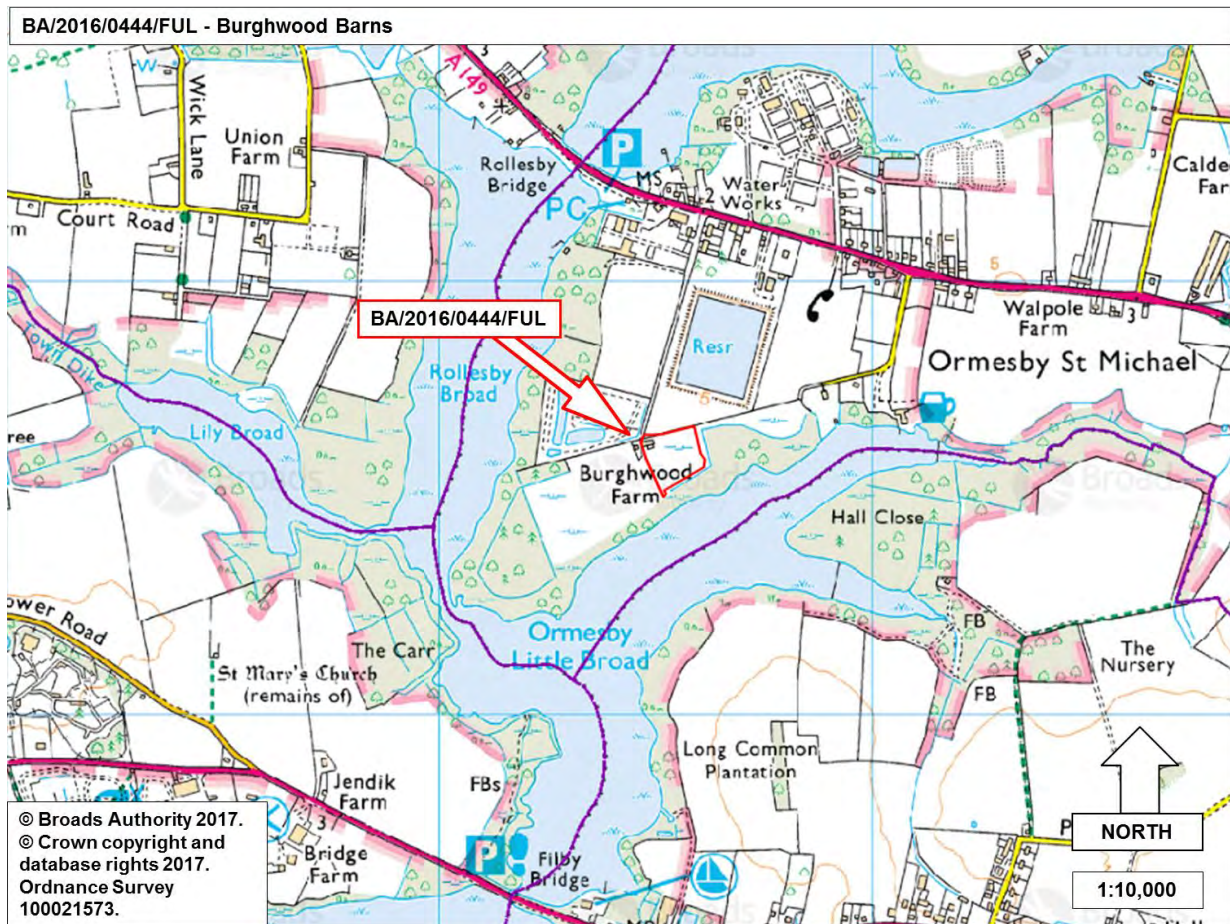
Background papers: Application File BA/2016/0444/FUL

Author: Maria Hammond

Date of Report: 16 January 2017

List of Appendices: APPENDIX 1 – Location Plan

APPENDIX 1



Reference:

BA/2016/0449/FUL

Location

Broads Authority Tourist Information Centre,
Station Road, Hoveton



Application for Determination

Parish	Hoveton		
Reference	BA/2016/0449/FUL	Target date	06 March 2017
Location	Broads Authority Information Centre, Station Road, Hoveton		
Proposal	Replacement window frames		
Applicant	Mr Sam Bates		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Broads Authority application		

1 Description of Site and Proposals

- 1.1 The Broads Authority Information Centre at Hoveton, or Hoveton TIC, comprises one side of a horseshoe shaped building, with the other two sides comprising a public convenience. Although attached the buildings do appear as two separate entities both in scale, design and appearance, and are only joined by a roof projecting from the public convenience across to the flank of the TIC which is open beneath.
- 1.2 Hoveton TIC is sited on the western side of Station Road, with its entrance fronting the public highway, although set back from the footpath with an open hardsurfaced area which features two trees. The building backs onto a parking/service area, behind which is a line of trees between the subject site and the River Bure.
- 1.3 The subject building has a fully glazed front, including the gable, with the glazing wrapping around both sides. The entrance door is predominantly glazed with a solid timber element at the base. The rear elevation features a glazed gable and a projecting box window at ground floor level. All the window frames are timber and painted black. The windows are surrounded by a supporting frame which is constructed of timber supports clad in softwood and painted black.
- 1.4 The current proposal seeks to replace the timber supporting frame, entrance door, and windows with powder coated aluminium with a black finish. In addition the barge boards at roof level would be replaced with a change from softwood to hardwood painted black.

2 Site History

2.1 None

3 Consultation

No responses received.

4 Representations

No responses received

5 Policies

5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

[Core Strategy Policy \(2007\)](#)

[Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

CS5 - Key Buildings, Structures and Features Protection and Enhancement

[Development Management DPD \(2011\)](#)

[DEVELOPMENTPLANDOCUMENT](#)

DP4 - Design

6 Assessment

6.1 The application proposes maintenance works to an established building which is showing signs of age. Parts of the window frames and supports are in a poor state of repair.

6.2 The building is not sited within a Conservation Area and is not a building of heritage importance. Whilst it is generally considered that use of traditional materials is favourable, the design of the building frontage is such that it has a modern flavour and as such a reasonable level of diversity in use of materials would not be unexpected. It is noted that of the neighbouring buildings there is a mix of painted timber and painted and unpainted aluminium. It is therefore considered that a change of materials would not undermine the character and appearance of the host building or the surrounding street scene

6.3 There is no proposed change to the design of the glazed elements, the configuration and dimensions would show no alteration. Indeed where there is decorative detailing around the window frames this would be replicated with the new materials. It is further noted that the existing windows, door, structural

frame, and barge boards have a black finish, this would be replicated with all the replacement elements. It is therefore considered that the appearance of the building would be maintained.

- 6.4 Having regard to the above, it is considered that the proposed works would not result in any harm to the character and appearance of the host building, neighbouring buildings, or surrounding street scene, with regard to Policy DP4 of the Development Plan Document.

7 Conclusion

- 7.1 The proposed replacement of the existing timber framed windows, entrance door, and structural frame with ones constructed of powder coated aluminium, along with a replacement of the existing softwood barge boards with hardwood barge boards, all of which would have a black finish, would result in an appearance which maintains the overall character and appearance of the building and would not be of harm to the character and appearance of the surrounding area. Consequently the application is considered to be acceptable with regard to Policy DP4 of the Development Plan Document.

8 Recommendation

- 8.1 Approve, subject to conditions:
- (i) Standard time limit.
 - (ii) In accordance with approved plans

9 Reason for recommendation

- 9.1 The proposal is considered to be in accordance with Policy DP4 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

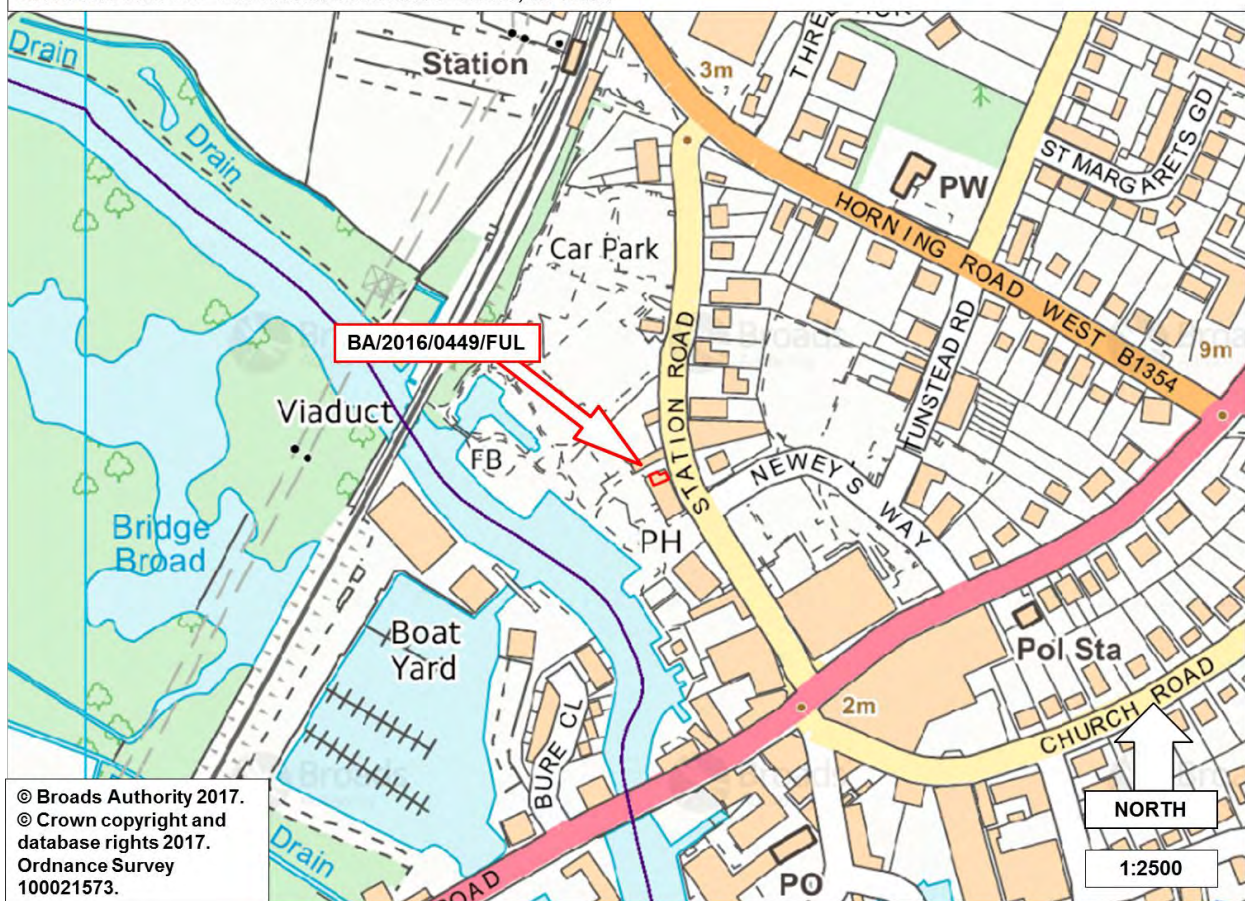
Background papers: Application File BA/2016/0449/FUL

Author: Nigel Catherall
Date of Report: 18 January 2017

List of Appendices: APPENDIX 1 - Location Plan

APPENDIX 1

BA/2016/0449/FUL – BA Tourist Information Centre, Hoveton



**Enforcement of Planning Control
Enforcement Item for Noting:
No.1 & No.2 Manor Farm House, Oby**
Report by Historic Environment Manager and Head of Planning

Summary: This report concerns unauthorised works to a Grade II Listed Building and offers an update on the on-going regularisation of the works.

Recommendation: That members note and endorse the contents of this report.

Location: Manor Farm House, Manor Farm Road, Ashby with Oby

1 Background

- 1.1 Manor Farm House at Ashby with Oby is a Grade II Listed Building. The list description includes *“2 doorways. Door to right is within doorcase of pilasters supporting simple entablature. Rectangular overlight. Sash windows with glazing bars and gauged skewback arches”*.
- 1.2 In 2010 unauthorised work comprising the replacement of the windows and doors of the property with uPVC units was identified in a survey of historic buildings. This was then followed by a prolonged period of negotiation regarding the replacement of the unauthorised and inappropriate replacements between the Authority and the owner, which were protracted due to the difficult personal circumstances of the owner.
- 1.3 A report on the 17 August 2012 was brought to the Planning Committee seeking authority to serve a Listed Building Enforcement Notice (LBEN) if voluntary compliance could not be achieved. The LBEN would seek the phased replacement of the windows and doors over a ten year period. This was agreed by Members.
- 1.4 Following this resolution, voluntary compliance was sought from the owner. An agreement was entered into for a phased replacement for the windows and doors. On 1 May 2014 Listed Building Consent (LBC) was granted for the work (BA/2014/0076/LBC) and a period of ten years was given for completion of the works.

- 1.5 Unfortunately little progress was made during the remainder of 2014 due to the owner's financial situation and continued poor health.
- 1.6 In January 2015 the Authority was advised that a manufacturer for the windows had been identified and an order had been placed.
- 1.7 In March 2015 a site visit was undertaken and it was noted that three uPVC doors had been replaced with appropriate timber replacements. The owner advised that two replacement window frames had also been manufactured and they were currently waiting for a suitable weather window for them to be fitted. The Authority was advised that the work was expected to be completed in early April.
- 1.8 A report was taken to Planning Committee on 2 April 2015 advising of the above.
- 1.9 At the end of April 2015 the site was re-visited and it was confirmed that the two additional timber windows had been installed. In total three doors and two windows have been replaced.

2 Update since 2 April 2015

- 2.1 It is acknowledged that there is a ten year period for compliance. 5 of the 28 apertures that require replacing have been completed to date (comprising approximately 18% of the required works) and this is welcomed. In April 2016 however the agent advised that no further work had yet been undertaken.
- 2.2 In June 2016 a report to Planning Committee set out the then current position, that In order to achieve compliance it means an average of three apertures a year for the remaining eight years will need replacement windows or doors fitted.
- 2.3 Members resolved to continue to monitor the situation and for officers to enter into discussions with the applicant in order to maintain momentum, and to bring reports back to Committee six monthly intervals to update on progress.
- 2.4 Whilst technically the Applicant could wait until year 10 before completing the work it would in reality be beneficial to work with and encourage the Applicant to maintain momentum so as not to face too onerous a task at the point at which compliance needs to be achieved.
- 2.5 Officers contacted the Agent at the end of 2016 to enquire as to progress on the schedule going forward.
- 2.6 Officers were at that time made aware that there continue to be issues surrounding the health of the Applicant. Accordingly it was unlikely that progress had been made in the last six months, also that negotiations will need to be carried out sensitively.

- 2.7 In January 2017 Officers visited the site and met the Applicant, who confirmed that whilst ill health had prevented any further work being carried out since June 2016, it was still their intention to complete the agreed programme of work within the ten year period.
- 2.8 It remains the case that 5 of the 28 apertures have been completed and the remaining 23 will require replacement in accordance with the programme by May 2024 a period of seven years four months. Whilst the Applicant could wait until year 10 before completing the work the longer it is left the more onerous the task becomes.
- 2.9 Whilst Members and officers are aware of the continuing health issues of the Applicant, continued dialogue to encourage the Applicant to undertake the work in a staged approach is considered to be of mutual benefit.

3 Conclusion

- 3.1 The current lack of progress on this long standing case is disappointing, however, Members' endorsement is sought on continuing discussions with the Applicant in order to maintain momentum with the agreed programme of work.
- 3.2 Officers will write to the Applicant setting out the progress against the agreed programme of work and encourage the continuation of the progress made during 2015 -16. Officers are aware that there continue to be issues surrounding the health of the applicant and that negotiations will need to be carried out sensitively.
- 3.3 Officers will continue to monitor the site and bring a report to Planning Committee at six monthly intervals.

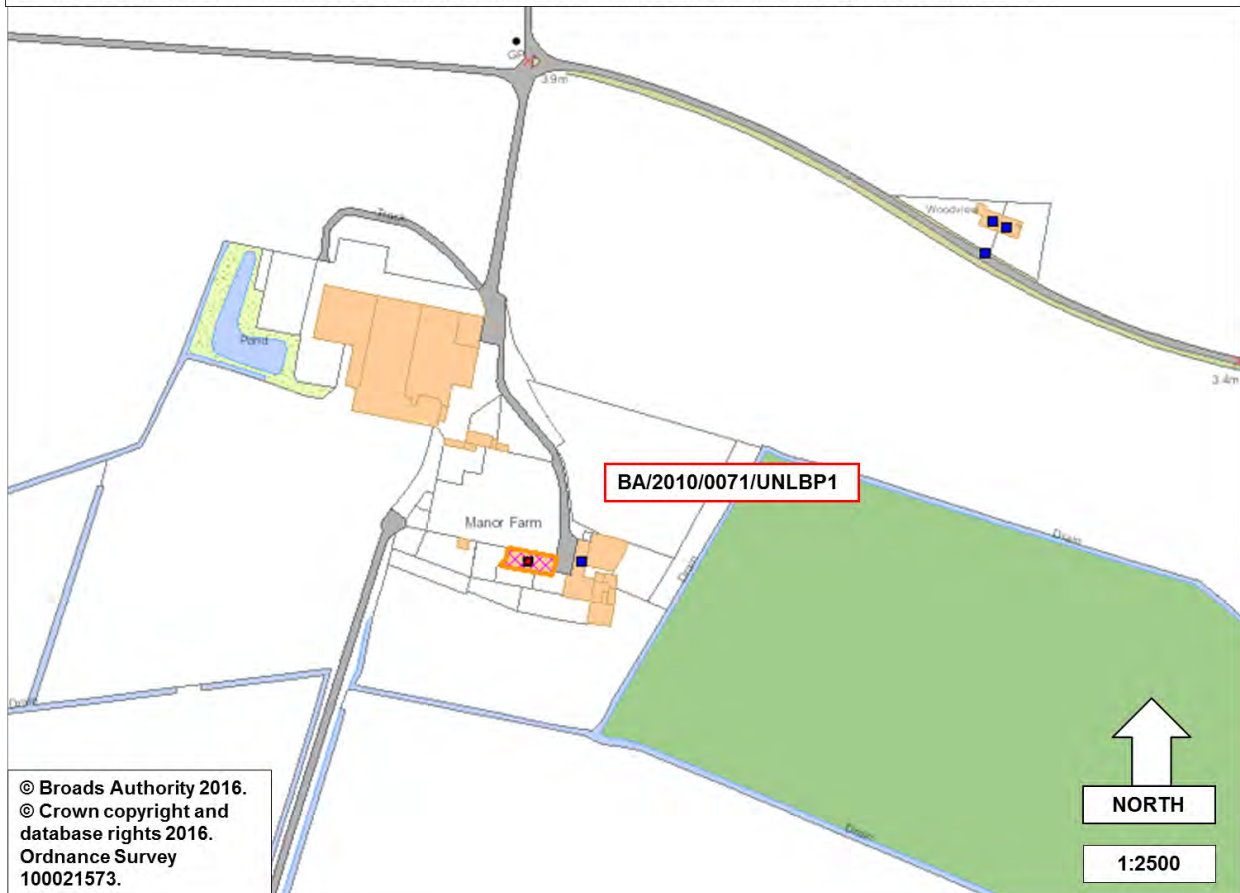
Background papers: Broads Authority DC Enforcement File BA/2010/0071/UNLBP1

Author: Ben Hogg
Date of report: 17 January 2017.

Appendices: APPENDIX 1 - Site Map

APPENDIX 1

BA/2010/0071/UNLBP1 – Farmhouse Manor Farm, Manor Farm Road, Ashby With Oby, Norfolk, NR29 3BN.



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
5 December 2008	"Thorpe Island Marina" West Side of Thorpe Island Norwich (Former Jenners Basin)	Unauthorised development	<ul style="list-style-type: none"> Enforcement Notices served 7 November 2011 on landowner, third party with legal interest and all occupiers. Various compliance dates from 12 December 2011 Appeal lodged 6 December 2011 Public Inquiry took place on 1 and 2 May 2012 Decision received 15 June 2012. Inspector varied and upheld the Enforcement Notice in respect of removal of pontoons, storage container and engines but allowed the mooring of up to 12 boats only, subject to provision and implementation of landscaping and other schemes, strict compliance with conditions and no residential moorings Challenge to decision filed in High Court 12 July 2012 High Court date 26 June 2013

Committee Date	Location	Infringement	Action taken and current situation
21 August 2015			<ul style="list-style-type: none"> • Planning Inspectorate reviewed appeal decision and agreed it was flawed and therefore to be quashed • “Consent Order “has been lodged with the Courts by Inspectorate • Appeal to be reconsidered (see appeals update for latest) • Planning Inspector’s site visit 28 January 2014 • Hearing held on 8 July 2014 • Awaiting decision from Inspector • Appeal allowed in part and dismissed in part. Inspector determined that the original planning permission had been abandoned, but granted planning permission for 25 vessels, subject to conditions (similar to previous decision above except in terms of vessel numbers) • Planning Contravention Notices issued to investigate outstanding breaches on site • Challenge to the Inspector’s Decision filed in the High Courts on 28 November 2014 (s288 challenge) • Acknowledgment of Service filed 16 December 2014. Court date awaited • Section 73 Application submitted to amend 19 of 20 conditions on the permission granted by the Inspectorate • Appeal submitted to PINS in respect of Section 73 Application for non-determination • Section 288 challenge submitted in February 2015 • Court date of 19 May 2015 • Awaiting High Court decision • Decision received on 6 August – case dismissed on all grounds and costs awarded against the appellant. Inspector’s decision upheld • Authority granted to seek a Planning Injunction subject to

Committee Date	Location	Infringement	Action taken and current situation
<p>9 December 2016</p> <p>6 January 2017</p>			<p>the timescale given and this had been extended</p> <ul style="list-style-type: none"> • LPA advised that operator intends to submit retrospective application for unauthorised development and this is awaited • No application received • Report on agenda for 24 June 2016 deferred as invalid planning application received, and further information requested • No further information received to date (22 July 2016) • Application for retention of structures validated 27 July 2016 and under consideration • Application withdrawn 29 September 2016 • Meeting with landowner's agent 10 November 2016 • Landowner's agent considering position. • No realistic prospect of compliance by negotiation • Planning Committee agree to proceed with prosecution and further Enforcement Notices • Request for a further period to 31 March 2017 for compliance with Enforcement Notice and remove the further unauthorised development granted. Request granted. If full compliance not achieved by this date, the authority granted to officers previously and in December 2016 to prosecute and serve further Enforcement Notices be implemented with immediate effect and no further negotiations take place.
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should

Committee Date	Location	Infringement	Action taken and current situation
			<p>the enforcement notice not be complied with</p> <ul style="list-style-type: none"> • Planning Contravention Notice served • Negotiations underway • Planning Application received • Planning permission granted 12 March 2015. Operator given six months for compliance • Additional period of compliance extended to end of December 2015 • Compliance not achieved. Negotiations underway • Planning Application received 10 May 2016 and under consideration • Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required
<p>5 December 2014</p> <p>8 January 2016</p>	Staithe N Willow	Unauthorised erection of fencing	<ul style="list-style-type: none"> • Compromise solution to seek compliance acceptable subject to the removal of the 2 metre high fence by 31 October 2015 • Site to be checked 1 November 2015 • Compliance not achieved. • Authority given for Enforcement Notice requiring the reduction in height to 1 metre, plus timber posts and gravel boards • Enforcement Notice issued 1 February 2016 • Compliance date 6 April 2016 • Appeal submitted against Enforcement Notice on grounds there has been no breach • Appeal Dismissed and Enforcement Notice Upheld 9 January 2017 (see Appeals Schedule) • Landowner given until 9 March 2017 to remove fence

Committee Date	Location	Infringement	Action taken and current situation
4 December 2015	Hall Common Farm, Hall Common, Ludham	Breach of conditions 2&3 of pp BA/2014/0408/C OND Unauthorised installation of metal roller shutter door	<ul style="list-style-type: none"> • Authority given for issuing and Enforcement Notice and for prosecution (in consultation with the Solicitor) in the event that the enforcement notice is not complied with. • Period of 4 weeks given for landowner to consider position • Negotiations underway • Application for lattice work door as mitigation submitted • Planning permission granted 4 April 2016. Site to be inspected • Compliance not achieved. Enforcement Notices to be served • Enforcement Notice served 18 May and take effect 17 June 2016 • Appeal against Enforcement Notice submitted (see Appeals Schedule) • Inspector's site visit 4 January 2017 • Appeal allowed and Enforcement Notice quashed 6 January 2017 (See Appeals Schedule)
11 November 2016	"Broad Minded" Plot 9/9A Martham	Mooring of Caravan on Floating Pontoon	<ul style="list-style-type: none"> • Authority given for an Enforcement Notice to be served (in consultation with the Solicitor) requiring the cessation of the residential use and the removal of the caravan on floating pontoons known as "Broad minded" with a compliance period of 3 months • Discussion underway with Environment Agency as landowner • Environment Agency given 30 days (to 9 January 2017) to negotiate removal of structure • Site visit 19 January 2017 shows structure still in situ.
9 December 2016	Eagles Nest,	Non-compliance	<ul style="list-style-type: none"> • Authority given for breach of condition notices to be issued

Committee Date	Location	Infringement	Action taken and current situation
	Ferry Road, Horning	with conditions 3 and 6 of BA/2010/0012/ FUL relating to materials and unauthorised use of boathouse for holiday and residential accommodation.	<p>requiring</p> <ul style="list-style-type: none"> (i) the replacement of the black composite boarding with black feather board finish in timber with a compliance period of 6 months; and (ii) requiring the removal of all fittings facilitating the holiday and/or residential use of the first floor and the cessation of any holiday and/or residential use of the first floor, with a compliance period of 3 months. And (iii) prosecution in consultation with the solicitor in the event that the Breach of Condition Notice is not complied with. <ul style="list-style-type: none"> • Invalid CLEUD application received • Application to remove materials condition received • Planning Contravention Notice served 30 December 2016. • Breach of Condition Notice served 19 January 2017

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: 19 January 2017

Appendices: Nil

Broads Local Plan February Bite Size Pieces

Report by Planning Policy Officer

Summary: This report introduces the following topics for the Publication version of the Local Plan: Floating Buildings, Settlement Fringe Topic Paper, Oulton Broad District Shopping Centre.

Recommendation: That Members' views are requested.

1 Introduction

- 1.1 This report introduces the following topics for the Publication version of the Local Plan:
- Floating Buildings Topic Paper
 - Settlement Fringe Topic Paper
 - Oulton Broad District Shopping Centre.
- 1.2 Members' views are requested to inform the draft policy approach in the Publication version of the Local plan.
- 1.3 It is important to note that this is not necessarily the final text or approach, but is part of the development of the final text. There could be other considerations that come to light between now and the final version being presented to Planning Committee in April 2017.

2 Floating Buildings Topic Paper

- 2.1 This discussed the way forward with floating buildings in this Local Plan and further details are included in Appendix A.

3 Settlement Fringe Topic Paper

- 3.1 This Topic Paper discussed the issue of Settlement Fringe and identifies some areas of particular interest. Further details are included in Appendix B

4 Oulton Broad District Shopping Centre

- 4.1 This policy has been worked up with Waveney District Council as some of the Centre is in Waveney's Local Planning area. Further details are included in Appendix C

5 Financial Implications

- 5.1 Generally officer time in producing these policies and any associated guidance as well as in using the policies to determining planning applications.

Background papers: None

Author: Natalie Beal
Date of report: 16 January 2017

Appendices APPENDIX A – Floating Buildings Topic Paper
APPENDIX B – Settlement Fringe Topic Paper
APPENDIX C – Oulton Broad District Shopping Centre



**Broads Authority
Local Plan
Floating Buildings Topic Paper
January 2017**

1. Introduction

With much of the Broads prone to flood risk, there are limited areas for development of buildings. In other parts of the world and across the country, floating buildings are used to provide development in areas prone to flooding.

The issue was raised at the Issues and Options stage of the Local Plan. See Appendix A for the section of the Issues and Options relating to floating buildings and Appendix B for the comments received as part of that consultation.

This Topic Paper does not provide further research into the topic of Floating Buildings but sets out the proposed approach for the Local Plan currently in preparation as well as setting out future work to look into Floating Buildings in more detail.

2. About Floating Buildings

Internal discussion and initial research has resulted in the identification of five broad typologies of floating buildings or alternative uses of boats:

a) Floating Buildings

Photo 1: A Floating Building in the Netherlands.



- Designed to float the majority of the time.

- Like the photo above(although acknowledged that this gives an f indicative idea of the type of building rather than an acceptable design for the Broads)
- Non-navigable.
- Not self-propelled.
- Piled support.
- Never designed or intended to move on water from where piled to the side.

b) Can-float buildings

Photo 2: Again in the Netherlands: a building that can float if needed.



- Built over land and are designed to float only in the event of a flood
- Rise up and down with flood water.
- Like the photo above(although acknowledged that this gives an indicative idea of the type of building rather than an acceptable design
- Non-navigable.
- Not self-propelled.
- Piled support.
- Never designed or intended to move on water from where piled to the side.

c) Buildings on rafts/pontoons

Photo 3: In Beccles. Photo shows some buildings on rafts/pontoons



- For example like those at Wayford Bridge or Hipperson's Boatyard, Beccles.
- 'Floating sheds'.
- 'Floating caravans'.
- Needs something additional to move it.
- But still a vessel under the Broads Act (although this does not exempt them from needing planning permission if required).
- Some are purpose built and some have adapted structures.

d) Houseboats

- Actual boats that now cannot move under own steam.
- Lived on.
- Needs something additional to the boat to move it.
- Converted internally for residential uses.

e) Live-a-boards/residential moorings

- Actual boats capable of self-propelled navigation
- Can move when they want to.
- Lifestyle of: have a base to moor boat and can go travelling and return to the base.
- Use residential moorings.

3. Policy Approach

The question still remains: can the floating building approach make a proposal that is unacceptable in flood risk terms acceptable? This is likely to need much more detailed work and close liaison with the Environment Agency.

For the Local Plan currently in preparation, it is proposed to mention in the supporting text to the revised flood risk policy (revision of current policy DP29) that floating buildings could be a form of resilience and way of managing any residual risk subject to other design and impact criteria. It will be for the applicant to propose a suitable design that meets all the criteria in the Local Plan as well as address the requirements of the Environment Agency.

Whilst on the face of it, this may not seem as progressive as the stance in the current Local Plan could be, introducing the concept of floating buildings to the Broads is going to be an iterative process (if deemed acceptable in the first place when considering design, safety, character and other impacts) and raising the potential to consider this approach as a form of resilience for already acceptable schemes is the first step.

Additionally, a workshop will be held with the Tolls Team to consider the different typologies discussed previously. Definitions could then be amended within the next version of the Local Plan.

4. Future work and next steps

With regards to floating buildings making a proposal that is unacceptable in flood risk terms acceptable; that is something that needs much more work and could be part of the next Local Plan.

A member of the Planning Team intends to complete a dissertation/research project on this very issue during 2017. So whilst outside the timings to inform this Local Plan, the findings could inform the next version of the Local Plan.

Following internal discussions on the topic, there are some issues further to those raised in Appendix A which further work could look into:

- Accept permanent raising of floor levels which has a permanent impact on the landscape.
- Is it more acceptable to allow buildings to float and rise temporarily? So impact on landscape is limited to times of flood only?
- Could initially allow replacement dwellings to float.
- Design would have to be appropriate to the Broads.
- Sea level rise and climate change could mean that these buildings will permanently be floating.
- But what about the infrastructure, services, utilities and roads that may be designed to provide a service when not flooding? Extra-long cables, flexible pipework, raising roads?

Appendix A: Issues and Options section on Floating Buildings

With much of the Broads prone to flood risk, there are limited areas for development of buildings. Floating buildings are used around the country and world in areas prone to flooding.

To date the Authority's approach has been one of a presumption against such buildings. The Local Plan Issues and Options offers the opportunity to further consider the issue. Below are some issues that need to be considered in relation to floating buildings.

i) Definitions

The adopted Development Management DPD defines **houseboats** as '*a static vessel or purpose-built structure with no form of mechanical propulsion, used or designed for residential purposes*'. These are different to residential moorings. Locally, houseboats are also called 'flat-a-floats'.

Residential moorings are for boats used as someone's sole or primary residence and allow them to stay long term – the boat can be moved so is not static like houseboats are. The boats that use residential moorings can be called 'live-aboards'.

There are two types of **floating buildings**; permanently floating buildings and those that float only when flood waters swell, but sit on the ground during dry conditions.

A house on dry land in Holland, which floats if waters swell.



Again in Holland, this house floats on the water



ii) Broads Housing Need

Whilst the Broads Authority does have a housing need as discussed earlier in this section, the figure of 274 dwellings is to be adjusted for completions and then current allocations and permissions need to be considered. As such, the need for the Broads Authority is not likely to be 274 dwellings but considerably less. This will be discussed further in the Preferred Options of the Local Plan. It could be that the residual need could be met on land or by our constituent district councils rather than on water. The contribution that houseboats and or/floating structures could make to meeting the housing need of the Broads is a matter to be developed through the production of the Local Plan.

iii) Design

There are instances of some house boats in the Broads. Many are quite basic in their appearance. They may add to the local character but equally, would the character of the Broads be affected by more of these types of houseboats or floating houses?

Design is an important aspect of all development in the Broads because of its special qualities. These special qualities are the reasons why people live in, work in and visit the Broads. If houseboats or floating buildings were considered appropriate in principle, the detail of the design will be an important consideration to determine if a scheme was acceptable. There could be potential for well designed, innovative and striking floating buildings in the Broads but design is a very subjective issue.

iv) Location

It is likely that the acceptable location of these floating buildings would be similar to if not the same as that of residential moorings. That is to say that locations where facilities and services often used by the community, such as GPs, shops and schools, are a walking distance from the proposed location. There are some locations in the Broads which have good access to services and facilities.

Another aspect of location is that of potential landscape impact. The sensitivity of the landscape to accommodate buildings of this type would need to be carefully considered. Not forgetting that adverse impact on navigation should be avoided.

v) Function

How electricity, gas and freshwater are provided and foul water and waste disposed of in an appropriate way will be important considerations for any floating building. Furthermore, the user will likely want somewhere to park their car. Access to land will also be a consideration.

vi) Flood Risk

This is a major issue. National Policy seeks to avoid residential development in areas of high flood risk unless there is no other choice (sequential test) and can be made safe (exception test).

That being said, by their very nature such buildings will float. There are two types of floating buildings; permanently floating buildings and those that float only when flood waters swell, but sit on the ground during dry conditions.

Such floating buildings are present elsewhere in the country and indeed the world.

vii) Uncertainty

There will be issues with interpretation of definitions:

- When is a boat a boat?
- When is a floating building a building?
- When is a floating building a boat?

viii) Houseboats - Need

The Housing and Planning Bill includes a requirement for Local Housing Authorities (a function carried out by our districts) *'to consider the needs of people residing in or resorting to their district*

with respect to the provision of (inter alia) places on inland waterways where houseboats can be moored'. The Authority will monitor the Bill and work with Local Housing Authorities (our districts) on this issue.

Q: What are your thoughts on floating buildings? Do you have any evidence to address the issues raised?

Appendix B: Comments received relating to Floating Buildings

South Norfolk Council would support the principle of floating buildings. **Broadland District Council:** consider the issue raised about Design could be addressed through 'design codes'. **IWA:** Given the Broads special situation, there may also be opportunities to provide innovative housing such as floating housing as deployed in Holland to contribute. This would also apply to affordable housing, indeed these may be especially suitable if procured as 'factory built'. However such structures must not interfere with the ability of all craft to navigate the adjacent waterways. IWA does not have direct experience of floating buildings. However we are prepared to assist BA in developing thoughts around this subject if this is helpful. **RBOA:** The RBOA support the concept of floating housing (defined differently to residential boats) as a viable way to meet the need to build within flood risk areas and would be interested in discussing this further with the Broads Authority. **River Thurne Tenants Association:** These are traditionally used as holiday accommodation and provided they are sited sympathetically in the Broads landscape they serve a purpose and could be retained. Caravans or something similar NOT designed for the purpose of floating are unpleasant, intrusive and generally not liked by our members. However if something such as the purpose-built floating Dutch and Scandinavian buildings, in areas susceptible to flooding or on lakes can be pleasant, beautiful and quite desirable, even in the Broads landscape. It all depends on the design and location of the 'floating buildings'. **Mr Thomas:** "Floating accommodation" or building on stilts hardly sounds viable. **EA** Where Local Plans contain policies relating to floating structures, they must be informed by the flood risk Sequential Test and Exception Test. The vulnerability classification of floating structures is not formally defined, this is for the LPA to decide based upon national planning policy and guidance, and we can assist in discussions on this. The main channel of rivers is usually considered as Flood Zone 3b, the functional floodplain. Only residential accommodation associated with water-compatible uses (as defined by Table 2), is appropriate in FZ3b.

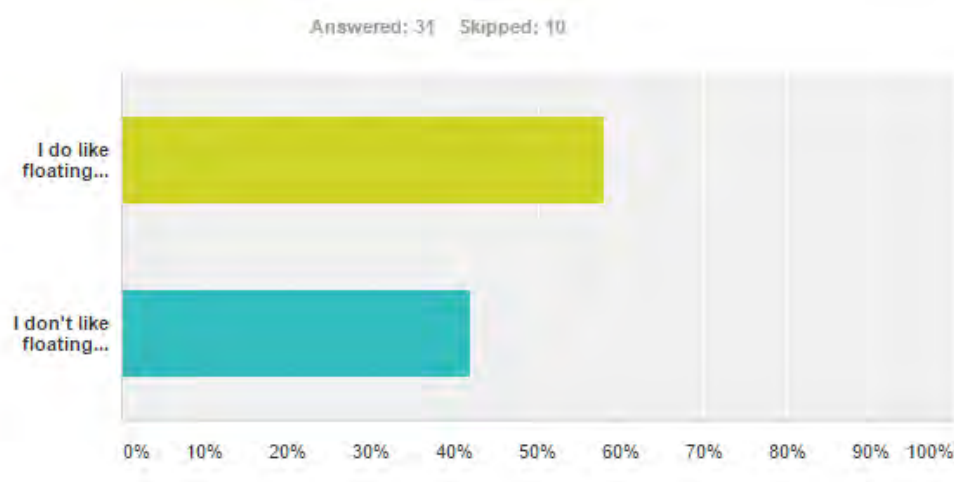
We also offer the following more detailed points that would need to be considered before such floating structures could be permitted:

- ix) Access and Egress - Floating houses would need to offer safe access and egress routes to non-flooded areas should, for example, power or water supplies be lost which make the house no longer safe or habitable.
- x) Floating structures in the channel of a Main River or within byelaw distance will require Flood Defence Consent. There may also be fisheries, navigation, water quality and aquatic biodiversity issues to consider.
- xi) The potential 'downstream' effects on flood risk of floating buildings and residential moorings would also need to be taken into account in an FRA. Compensatory storage may need to be provided to at least equal displacement of the loaded structure. We should also be satisfied that the building or structure does not obstruct flows, and does not present a risk of breaking free and obstructing flow channels.
- xii) During a flood, debris such as large branches or even cars that are carried in the floodwater can hit the structure below or above the waterline. At high velocities that could damage the structure, including the undercroft area or tanks that provide the floatation.
- xiii) After a flood the structure may be designed to settle back down upon its foundations. However if debris has come to rest underneath this will be trapped, potentially meaning the house does not settle evenly. This can cause structural stress and also make it very challenging to remove the debris. This would be a particular risk for buildings using stilts or piling as a mechanism to

retain a structure in place. The design would also need to ensure its anchorage mechanism can withstand the floodwater velocities. It is not within our remit to endorse the mechanics of the structure. The LPA would need to consider this.

- xiv) The responsibility and cost of long term maintenance is likely to rest with the householder, who will need to ensure the building will function properly throughout its design lifetime. There is a risk that routine maintenance is not undertaken or key parts of the structure, e.g. the underneath, cannot be accessed and inspected. A fault or failure in any part of the design which compromises the structure's ability to operate properly may only become apparent during a flood. The LPA should satisfy itself that the structure can be maintained over its lifetime and apply appropriate conditions.
- xv) Such development would also need to consider WFD impacts through an assessment of direct effects on river morphology. Generally the objective should be to soften embankments where possible. If larger scale projects are planned, then it may be sensible to consider mitigation improvements in other areas of the system, i.e. have a habitat improvement plan / bank to offset development.

What do you think about floating buildings in general?



Do you have any comments?

- a) Floating buildings should be fixed via post piles which allow full rise & fall allowing for extreme conditions
- b) Live and let live , if they are not causing a problem they should be allowed to stay
- c) What do you mean by floating buildings. I cannot find a dictionary of such a term. Providing they do not interfere with the navigation for both power and sail it will stand a reasonable chance of being acceptable
- d) Can be an asset - eg. canals
- e) I'm no aware of any floating buildings and have no opinion
- f) I don't know enough to comment
- g) This amounts to urban development
- h) Often unsightly
- i) Can be efficient and look nice if done properly
- j) Boatyards/marinas should be encouraged to provide properly regulated residential mooring
- k) Floating buildings have to be governed by aero/aquodynamic and are generally known as boats

- l) Everybody should have the right to live on the water if they so wish, providing they respect the waterways and abide by the rules
- m) Of course belongings are safe in floods, it's a floating building !!!!!
- n) No objections if buildings are designed to float during a flood situation but please, no more ugly houseboats!
- o) However, I don't like the look of the "floating buildings" at Carrow.



Broads Authority
Local Plan
February 2017
Settlement Fringe Topic Paper

1. Introduction

Settlement fringe is a landscape type represents those areas of land found repeatedly throughout the Broads where settlement and semi natural/natural environment converge. Invariably around any settlement there are pressures for use other than for traditional agricultural. Many of these pressures are a generated as a direct result of increasing time for and range of recreational and leisure activities. Developments are varied and include garden extensions with their associated fencing and features; allotments; poultry keeping, horse keeping, sports pitches, pond construction (fishing and wildfowling) and storage of scrap items etc.

Additionally the proximity of a settlement can influence the presence and extent of strategic infrastructure such at the poles and cables for telecoms and electricity supply.

The land which is subject to these types of development pressure will generally have the basic underlying characteristics of the prevailing landscape type within the locality but invariably if used for such activities can become heavily modified though the annexation; subdivision; change of use; introduction of ancillary buildings and structures which meet the needs of the activity.

The changes effected on the areas of land which are subject to these activities can both individually (depending on their scale and nature) and cumulatively (if it is following a trend in an area) have an effect on the landscape character of an area, through changes to the traditional land use and land cover.

Many activities will require the submission of a planning application and as part of that process, consideration to their likely impacts on the landscape character of an area will be one of the many aspects that the planning authority will need to consider.

However, there are many areas in the Broads where traditional landscape features and elements are being eroded as a result of unauthorised and unsympathetic development.

2. Characteristics of Settlement Fringe

The distinctive landscape characteristics of this landscape type are that:

- the basic underlying landscape characteristics are the same as the prevailing landscape type within the character area i.e. estuarine marshland/ heathland etc;
- the basic landscape characteristics associated with the existing natural/ semi natural environment have been compromised;

- they are always located in close proximity to existing settlement;
- the landscape has been modified in some way to accommodate the intended use;
- features may have been added that look out of character with the semi natural environment of the Broads; and
- the activities have the potential to impact on the soils, vegetation, water quality and tranquillity of an area.

At certain locations within the Broads unauthorised activities have triggered the establishment of an Article 4 direction. This is a special planning regulation adopted by a Planning Authority to cover all or part of their executive area. It operates by removing permitted development rights from whatever is specified in the Article 4 direction. The Broads has a number of these article 4 directions within its boundaries.

3. Impacts on Settlement Fringe Landscape Character

Each of the activity types has the potential to effect landscape in different ways. They may cause direct impacts on both the landscape (soils water, vegetation etc.) and the perceptual qualities of an area including views. They may have the effect of urbanising the semi natural/natural environment. What follows are some examples of landscape issues which may have an adverse impact on the local landscape character.

Excavations for ponds for wildfowling /fishing etc.

- the shape, depth and profile of the excavations can look unnatural;
- pond edges not designed to support marginal plant species;
- material dug out is not disposed of in an appropriate manner;
- peat, which is a valuable landscape resource) is excavated;
- ancillary structures introduced to support the activity look out of character
- inappropriate planting

Garden extensions

- inappropriate ornamental planting introduced into a semi natural/natural environment
- layout, the materials used and manicured appearance can look out of character
- garden buildings, fencing and features can look out of character
- loss of natural/semi natural habitat

Horse keeping

- loss of natural/ semi natural habitat from changing in relation to grazing management and construction of ménages
- introduction of fencing can look out of character
- water quality – storage of bedding materials
- buildings for storage of feedstuffs and equipment
- stabling blocks
- lighting

Forces for change include

- An increase in housing development and therefore recreational / leisure time pressures within areas adjacent to the Broads
- An increase in horse ownership
- Land values which may dictate the economic viability of land use.
- Increasing popularity for coarse fishing

4. Evidence

The Broads Authority's Landscape Consultant undertook an assessment of the existing landscape type GIS data set (unpublished and unchecked) by comparing both map based and aerial imagery (provided by the Broads Authority). The original settlement fringe boundaries identified in the original dataset were either confirmed, amended or deleted and further areas were added. The work is based on map based information and local knowledge and was a desk based exercise.

The settlement fringe areas shown in the published plans at Appendix A were identified as a result of one or a combination of the following

- a landscape assessment process where particular types have development/activities have been noted;
- planning applications; and/or
- anticipated pressures or emerging trends for land change through professional judgement

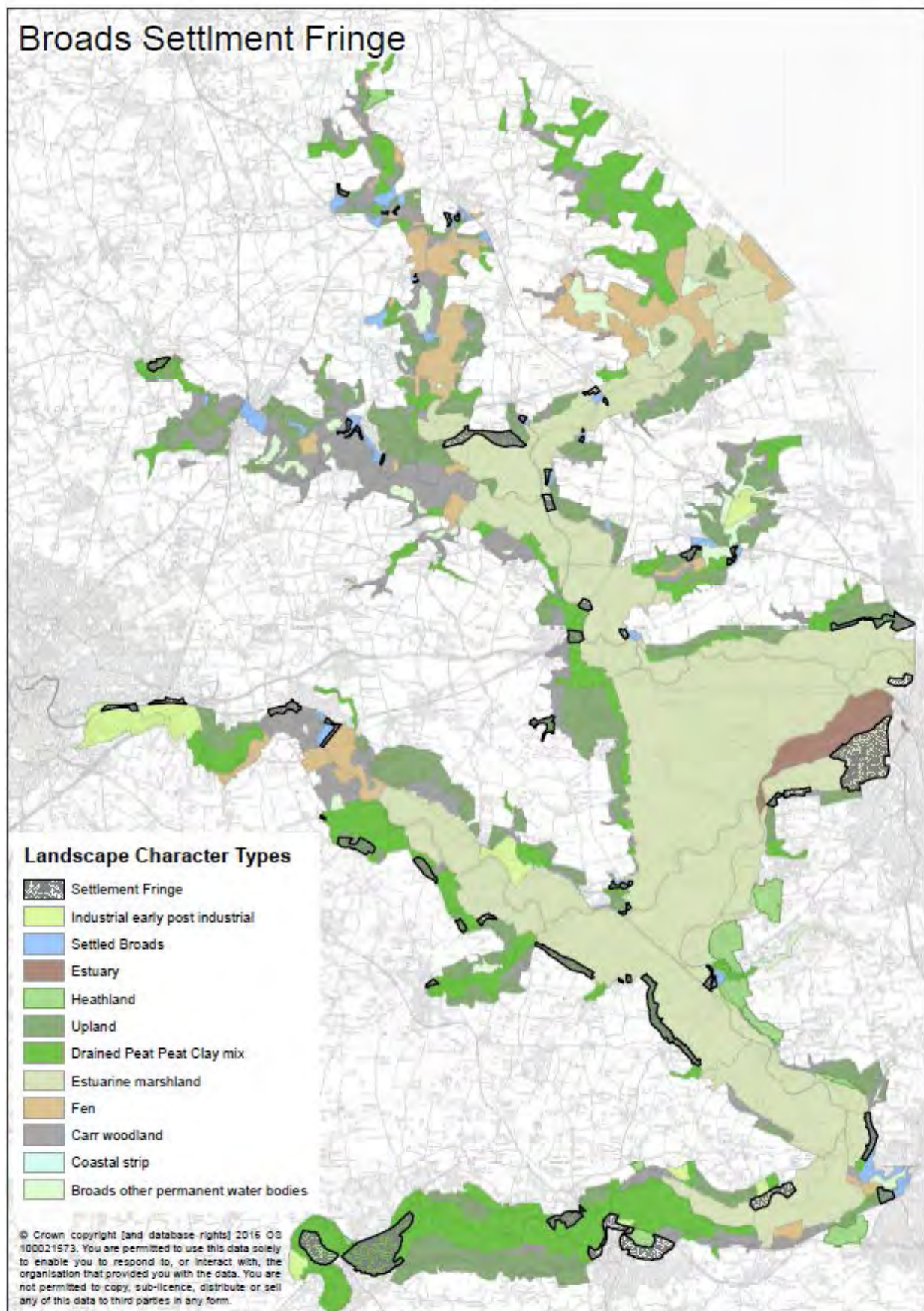
5. Policy Approach

The evidence shows that this is an issue in some particular areas and should be addressed through the Local Plan.

A Development Management style policy has been produced (at Appendix B). Using this policy, applications will be assessed on a case by case basis with reference to the maps but also the Landscape Character Assessment and landscape character more generally.

These areas have been reviewed against other policies in the Local Plan. Whilst some areas identified as Settlement Fringe at risk from development, the thrust of the policies that may cover the same area are generally in conformity with draft Settlement Fringe policy.

Appendix A: Map showing Settlement Fringe areas at particular risk.



Policy PODM20: Protection and enhancement of settlement fringe landscape character

Proposals for development lying within settlement fringe areas shall be informed by and be sensitive to the distinctive characteristics and special qualities of the Broads landscape, and should contribute to the active conservation, enhancement and restoration of these landscapes.

Development shall be permitted where it can demonstrate that its location, scale and design (with particular regard to materials, and colour) will protect, conserve and where possible enhance:

- i) The special qualities, local distinctiveness and the natural beauty of the Broads (including its historical, biodiversity and cultural character).
- ii) The visual and historical relationship between settlements and their landscape settings.
- iii) The pattern of distinctive landscape elements such as dyke networks, woodland, trees (especially hedgerow trees), and field boundaries along with their function as ecological corridors.
- iv) Visually sensitive skylines significant views towards key landscape features such as drainage mills and/or important vistas.

Development shall also demonstrate that it will not as a result of cumulative and/or sequential landscape and visual effects of development detract from the natural beauty of the Broads and the experience of tranquillity.

Reasoned Justification

There are many areas in the Broads where traditional landscape features and elements are being eroded as a result of unauthorised and unsympathetic development.

Settlement fringe is a landscape type that represents those areas of land found repeatedly throughout the Broads, where settlement and semi natural/natural environment converge. Invariably around any settlement there are pressures for use other than for traditional agricultural. Many of these pressures are generated as a direct result of recreational and leisure activities. Developments can be varied and include garden extensions with their associated fencing and features; allotments; poultry keeping, horse keeping, sports pitches, pond construction (fishing and wildfowling) and storage of scrap items etc.

The distinctive landscape characteristics of this landscape type are that:

- a) the basic underlying landscape characteristics are the same as the prevailing landscape type within the character area, i.e. estuarine marshland/ heathland, etc.;
- b) the basic landscape characteristics associated with the existing natural/ semi natural environment have been compromised;
- c) they are always located in close proximity to existing settlement;
- d) the landscape has been modified in some way to accommodate the intended use;
- e) features may have to be added that look out of character with the semi natural environment of the Broads; and
- f) the activities have the potential to impact on the soils, vegetation, water quality and tranquillity of an area.

Additionally the proximity of a settlement can influence the presence and extent of strategic infrastructure, such as the poles and cables for telecoms and electricity supply.

The land that is subject to these types of development pressure will generally have the basic underlying characteristics of the prevailing landscape type within the locality, but invariably if used for such activities can become heavily modified through the annexation, subdivision, change of use, or introduction of ancillary buildings and structures that meet the needs of the activity.

The changes on the areas of land that are subject to these activities can both individually (depending on their scale and nature) and cumulatively (if it is following a trend in an area) have an effect on the landscape character of an area through changes to the traditional land use and land cover. The landscape character of an area is determined by distinct and recognisable patterns of both elements, or by characteristics (both physical, e.g. topography, soils water quality vegetation, etc., and perceptual, e.g. visual, sound, time depth, tranquillity, etc.) that make one landscape different from another, rather than better or worse.

Many activities will require the submission of a planning application. As part of that process, consideration as to their likely impacts on the landscape character of an area will be one of the many aspects the planning authority will need to consider.

Each of the activities (see below for examples) has the potential to affect landscape in different ways. They may cause direct impacts on both the landscape (soils, water, vegetation, etc.) and the perceptual qualities of an area, including views. They may have the effect of urbanising the semi natural/natural environment. The following are examples of landscape issues that may have an adverse impact on the local landscape character.

Excavations for ponds for wildfowling/fishing, etc.:

- the shape, depth and profile of the excavations can look unnatural;
- pond edges not designed to support marginal plant species;
- material dug out is not disposed of in an appropriate manner;
- peat (which is a valuable landscape resource) is excavated;
- ancillary structures introduced to support the activity look out of character
- inappropriate planting

Garden extensions

- inappropriate ornamental planting introduced into a semi natural/natural environment
- layout, the materials used and manicured appearance can look out of character
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Horse keeping

- loss of natural/ semi natural habitat from changing in relation to grazing management and construction of ménages
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- water quality – storage of bedding materials
- buildings for storage of feedstuffs and equipment
- stabling blocks
- lighting

Forces for change include:

- An increase in housing development and therefore recreational / leisure time pressures within areas adjacent to the Broads
- An increase in horse ownership
- Land values which may dictate the economic viability of land use.

- Increasing popularity for coarse fishing

Comments received as part of the Issues and Options consultation:

General support for addressing this but would be a need to take different types of development into consideration due to the varying degrees potential landscape impact.

Alternative Options and Sustainability Appraisal Summary

- **Preferred Option:** Positive against some environment criteria. A ? against the rural economy as some development on the settlement fringe in the past had an economic element (as well as recreation) such as horsiculture. The policy does not stop change, but sets criteria that proposals should address.
- **No policy:** Not having a policy does not mean that these issues would not be addressed as the Broads is a nationally protected landscape. The policy is drafted to reflect ongoing practice and emerging themes from determining planning applications.

Evidence used to inform this section

- Officer knowledge and experience.

Monitoring Indicators

- Applications permitted contrary to Landscape Architect advice.

Policy PUBOUL4 - Oulton Broad District Shopping Centre

Oulton Broad District Shopping Centre is identified on the Policies Map.

Within the Oulton Broad District Shopping Centre proposals for changes of use of ground floor premises from Use Classes A1 (retail) and A2 (financial and professional services) to other non-retail uses including A4 (drinking establishments) and A5 (hot food takeaways) will not be permitted.

The following changes of use will only be permitted where either cumulatively or individually they have no significant adverse impact on the character, retail function, vitality and viability of the centre, residential amenity including noise, fumes, smell and litter, highway safety, parking and community safety:

- a) from Use Classes A1 (retail) and A2 (financial and professional services) to A3 (restaurants and cafes)
- b) other premises in the Oulton Broad District Shopping Centre to Use Class A3 (restaurants and cafés), A4 (drinking establishments) and A5 (hot food takeaways)

Constraints and Features

Flood Zone 3 and 2 according to EA mapping.

Centre is in Waveney and Broads Local Planning Authority areas.

Next to protected open space – Nicholas Everett Park.

Spar is the largest retail unit in this centre.

In Oulton Broad Conservation Area.

Reasoned Justification

The NPPF, at paragraph 23, says '*planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of centres over the plan period*'.

Recent retail evidence and on-site monitoring continues to identify Oulton Broad as a 'District Centre' where shops and services will be protected and prevented from changing to other uses. Planning Policy Statement 4 (PPS4) 'Planning for Sustainable Economic Growth' (now deleted), defines District Centres as a 'group of shops, separate from the town centre, usually containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library'. There is currently no definition for District Centres in the NPPG or NPPF.

Oulton Broad District Centre is located around Bridge Road in Oulton Broad. The area is shared between the Broads Authority and Waveney District Council's Local Planning Authority areas. There are around 50 retail units currently in operation (according to 2016 monitoring data).

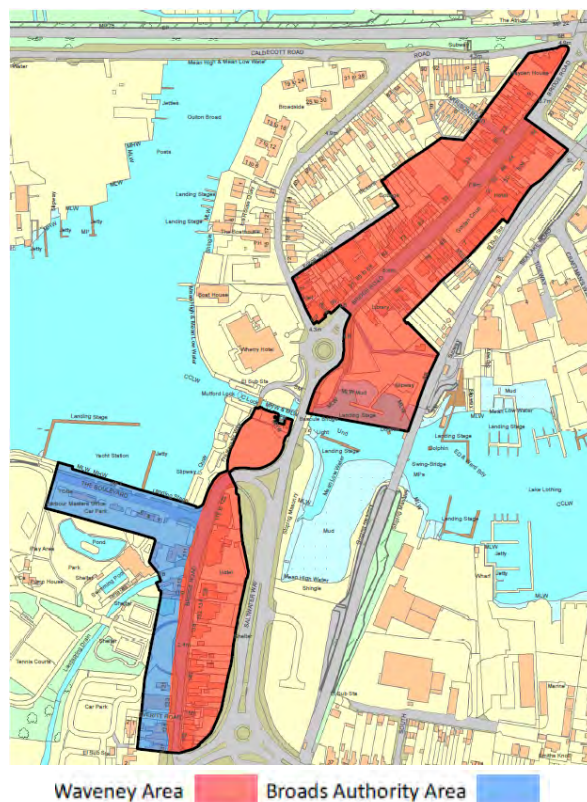
The 2016 Retail and Leisure Study says that the Centre has a relatively good mix of independent stores for its size but an under provision of banks and building societies. The Centre was principally identified as a 'top-up' food shopping destination in the household survey. The assessment suggest

that there is potential to increase the convenience food offer as well as increase the number of cafes and restaurants to cater for the need of the local population and the wider tourist market. The assessment also identifies the potential to increase the linkages between the centre and the Broads.

The increase in the number of takeaways has been a cause for concern in Oulton Broad, with late opening times often being associated with anti-social behaviour that harms the amenity of local residents and the environmental quality of the areas. Concern has been raised that a continuation of this trend could reduce the centre's retail provision making it less attractive for local residents and thereby potentially affecting the viability of the remaining shops.

Policy PUBOUL4 is included within both the Waveney District Council Local Plan and the Broads Local Plan to reflect the centre's location across both planning authorities' area. The policy intends to protect the existing shopping and service offer in the Centre and promote new restaurants and cafes where they would not undermine the viability of the Centre. The policy restricts changes of use to A4 and A5 in order to address amenity concerns discussed previously.

It is acknowledged that some changes of use can take place without planning permission under the Permitted Development Order 2015 which allows some flexibility of uses within the area (dependent on size, final proposed land use and whether the site is located in the Broads or not). This policy will apply to circumstances where planning permission is required.



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Evidence used to inform this policy:

Waveney District Council Retail and Leisure Needs Study (2016)

<http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Waveney-Retail-and-Leisure-Needs-Assessment-2016/01-Waveney-Retail-and-Leisure-Needs-Assessment-2016.pdf>

Waveney District Council Monitoring (various years)

<http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/monitoring-information/annual-monitoring-report-2/>

Alternative options and Sustainability Appraisal

Publication policy:

No policy:

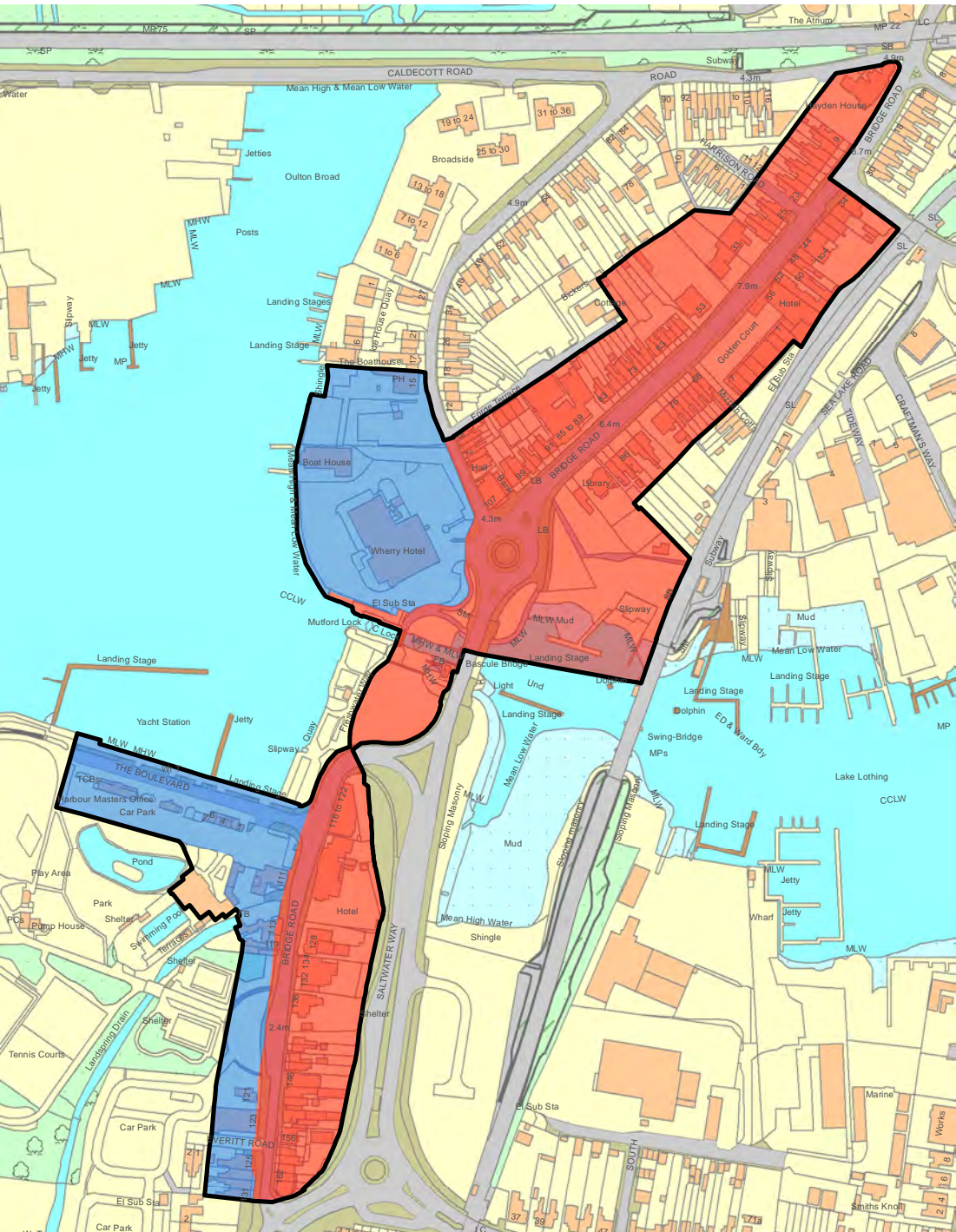
Allow other wider land uses:

Monitoring Indicators

Changes in land use in line or contrary to this policy.

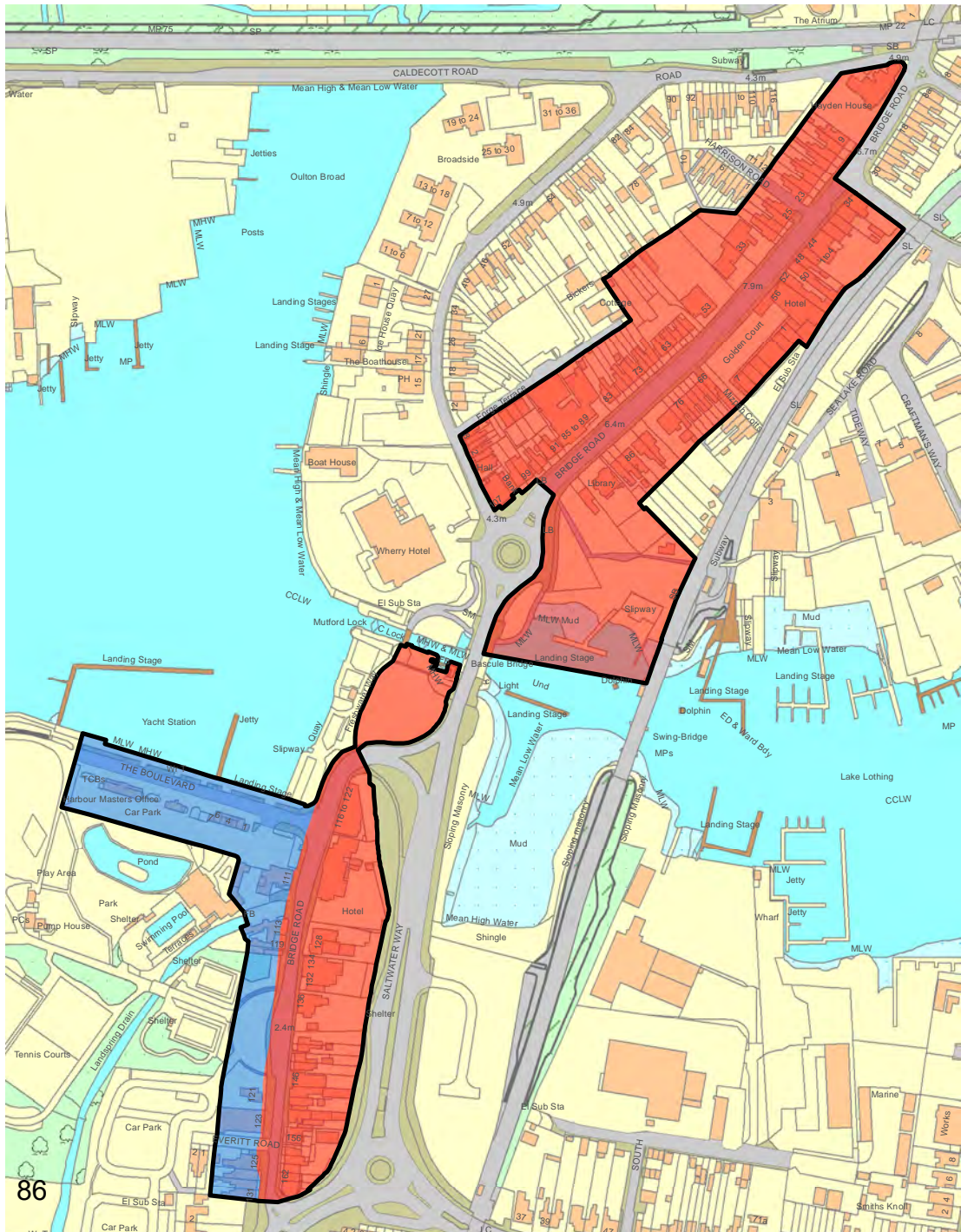
Oulton Broad Shopping Area

Option 1 - Include Wherry and Commodore



Waveney Area Broads Authority Area

Option 2 - Exclude Wherry and Commodore



Worlingham Neighbourhood Plan
Designating Worlingham as a Neighbourhood Area
Report by Planning Policy Officer

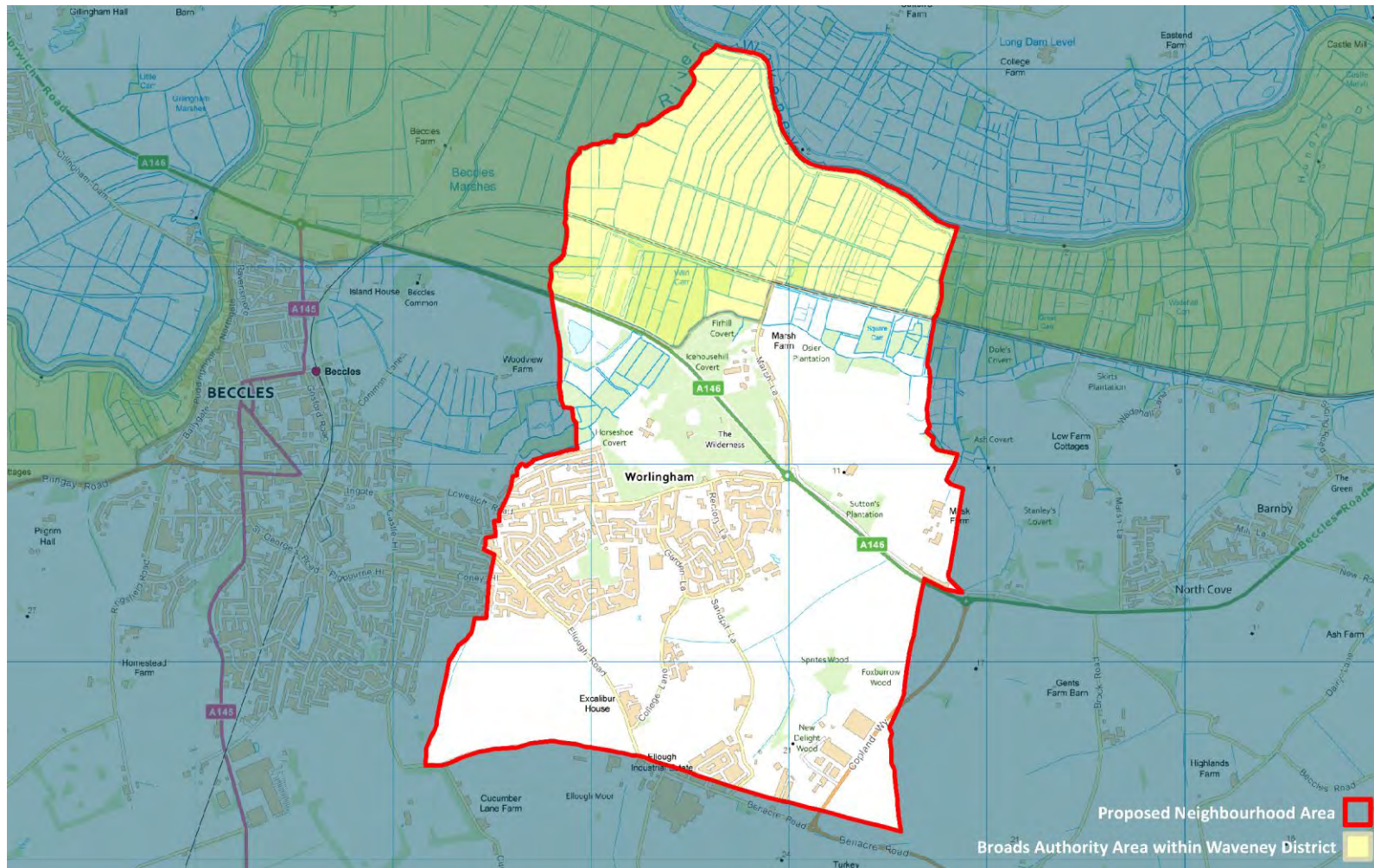
Summary:	The report briefly introduces the Worlingham Neighbourhood Plan with the comments received during the six week consultation period on Worlingham becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.
Recommendation:	That the Planning Committee notes the comments received and agrees to Worlingham 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 follows a six week period within which any member of the public may submit written comments to the Broads Authority and the relevant District Council regarding the proposed Neighbourhood Area, who will then consider the area, and the comments received, before approving or rejecting its designation. The designation of a Neighbourhood Area is therefore the first step in the process of preparing a Neighbourhood Plan.

2 Worlingham Neighbourhood Area

- 2.1 Worlingham Parish Council has submitted the application for their entire Parish. The red line shows the area and the yellow shading shows the Broads Authority Executive Area. Source: Waveney District council.



3 Comments received

Comment from:	Summary of comment:	BA response:
Anonymous	Supports. I think it is right this Worlingham has a plan separate from Beccles	Support noted
Graham Jenkins	Supports.	Support noted
Natural England	Generic response with sources of information and advice.	Noted.
Suffolk County Council	Generic response with sources of information and advice.	Noted.

4 Financial Implications

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

5 Conclusion

- 5.1 There are no objections to Worlingham becoming a Neighbourhood Area. As such it is recommended that the Planning Committee notes the comments received and agrees to Worlingham becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

Background papers: The Broads Authority Neighbourhood Planning webpage:
<http://www.broads-authority.gov.uk/planning/future-planning-and-policies/neighbourhood-planning.html>

Waveney District Council Neighbourhood Planning webpage:
<http://consult.waveney.gov.uk/consult.ti/becclesneighbourhoodarea2015/consultationHome>

Some guidance/information on Neighbourhood Planning:
<http://www.rtpi.org.uk/planning-aid/neighbourhood-planning/>

Author: Natalie Beal
Date of report: 18 January 2017

Appendices: None

**Consultation Documents Update and Proposed Responses
Great Yarmouth Town Centre Master Plan**

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

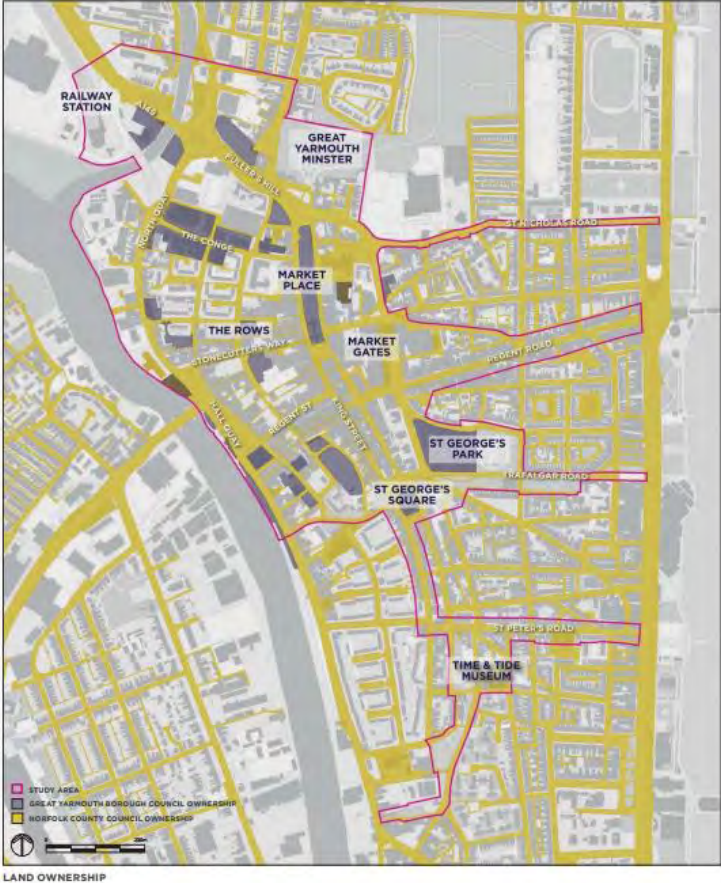
Author: Natalie Beal
Date of report: 19 January 2017

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received

APPENDIX 1

Planning Policy Consultations Received

ORGANISATION:	Great Yarmouth Borough Council
DOCUMENT:	Great Yarmouth Town Centre Masterplan
LINK	https://www.great-yarmouth.gov.uk/article/3224/Forthcoming-consultation---Draft-Town-Centre-Masterplan
RECEIVED:	December 2016.
DUE DATE:	30 January 2017. We have an extension to cover this Planning Committee.
STATUS:	Consultation
PROPOSED LEVEL:	Planning Committee Endorsed
NOTES:	<p>The draft Town Centre Masterplan is a clear, coherent and compelling vision to transform Great Yarmouth's central area and make it more attractive for residents, visitors and investors.</p> <p>The masterplan has been developed in draft using valuable feedback from an initial public consultation last year and from key individuals and organisations, including retailers, market traders, developers, councillors and urban design specialists.</p> <p>Our vision for the town centre is that, by 2025, new investment and employment in the town centre is generating renewed pride in Great Yarmouth and building confidence for the future.</p> <p>Six main projects:</p> <ul style="list-style-type: none"> • Strengthening the Heart of the Town Centre • Improving the market and Market Place • Transforming the Conge • Creating a sense of arrival at the train station • Unlocking the potential of Hall Plain • Linking it all together

	 <p>LAND OWNERSHIP</p>
<p>PROPOSED RESPONSE:</p>	<p>Whilst perhaps a presentation issue, there are lots of maps or illustrations within the document with little or no context so it is hard to understand where they are or what is being referred to. Street names or landmarks are not annotated on most of the plans. For example, it is not clear what the illustration on page 22 is showing and the same with page 24, 26 38. This is quite confusing. That being said, the illustration on page 36 is useful – is there scope for more of those to make things clearer.</p> <p>Many images later on in the document seem to show what things could be like. Is there scope to show what things are like now and have a map to show where the change is proposed? For example, page 45 for the station, could show what it is like now and what it could be like.</p> <p>I see there is broad phasing, but it is not clear who is going to do what, by when and how? Is there an action plan that supports this masterplan for example? How will the community and wider stakeholders be involved in working up the specifics of the scheme?</p> <p>Some specific comments:</p> <p>Page 9, movement and transport. Is there scope to include use of the water as well?</p> <p>Page 11, rationale for investing in the town centre. The town centre is sandwiched between a national park equivalent (the Broads) and the sea which are both major attractions.</p> <p>Page 13, strategic location and good access. The Broads is a navigable waterway and</p>

	<p>brings people to the area so is there scope to reflect the use of water in a better way?</p> <p>Page 31, paving. You may wish to consider the following issues when it comes to surface treatments. People dropping greasy food on the ground and roadworks/utility works whereby paving is replaced by tarmac. So the initial effect of a particular surface may not last long.</p> <p>Page 45, train station. Is the station itself part of any improvements? Or is it deemed a good arrival point?</p> <p>Page 47, wayfinding. What are the main destinations which will be signed?</p>
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Appeals to the Secretary of State: Update
Report by Administrative Officer

Summary: This report sets out the position regarding appeals against the Authority since April 2016.

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 April 2016.

2 Financial Implications

- 2.1 There are no financial implications.

Background papers: BA appeal and application files

Author: Sandra A Beckett
Date of report 16 January 2017

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since April 2016

APPENDIX 1

Schedule of Outstanding Appeals to the Secretary of State since April 2016

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
31 March 2016	<p>Appeal Reference: APP/E9505/C/16/314 5873</p> <p>Staithe n Willow, Horning</p> <p>Mrs J Self</p>	<p>Appeal against Enforcement Notice</p> <p>Relating to fencing on grounds that there has been no breach of planning</p>	<p>Committee Decision 8 January 2016</p> <p>Questionnaire submitted 21 April 2016</p> <p>LPAs Statement of case submitted 12 May 2016</p> <p>Final documents exchanged 14 June 2016</p> <p>Appeal DISMISSED and Enforcement Notice Upheld 9 January 2017</p>
2 August 2016	<p>Appeal Reference: APP/39505W/16/3154 806</p> <p>Hall Common Farm, Hall Common, Ludham</p>	<p>Appeal against Enforcement Notice</p> <p>Breach of conditions 2 and 3 of BA/2014/0408/COND Unauthorised installation of metal roller shutter door</p>	<p>Committee Decision 4 December 2015</p> <p>Supporting documents submitted by 16 August 2016</p> <p>LPAs Statement of case submitted 13 September 2016</p> <p>Inspector's site visit 4 January 2017</p> <p>Appeal ALLOWED on 6 January 2017 Enforcement Notice quashed.</p> <p>Planning permission granted for metal roller shutter doors</p>

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
			with substitution of new condition- to be painted black to match the colour of the walls of the boathouse.
12 October 2016	Appeal Reference APP/E9505/W/16/315 8503 BA/2016/0026/COND 50 Riverside Estate, Brundall Mr David Hilburn	Appeal against refusal Variation of condition 2 of previous permission BA/2012/0394/FUL – replacement chalet (to retain upvc windows and doors)	Delegated Decision 24 March 2016 Questionnaire submitted 18 October 2016 Statement of case submitted 14 November 2016 Appeal ALLOWED and planning permission granted 13 January 2017
23 December 2016	Appeal Reference APP/E9505/D/16/316 3616 BA Appeal Ref: BA/2016/0005/REF BA/2016/0263/HH 70 Riverside Estate, Brundall Mr David Wright	Appeal against refusal Retrospective application for retention of replacement cladding (to retain upvc windows and doors)	Delegated Decision 26 August 2016 Questionnaire submitted 4 January 2017
9 December 2016	Appeal Reference APP/E9505/D/16/316 3088 BA/2016/0004/REF BA/2016/0260/FUL Slad Lane, Woodbastwick, Salhouse Mr J Cator	Appeal against refusal Change of use of ground floor cottage to tea room (class A3)	Committee Decision 17 October 2016 Questionnaire submitted 16 December 2016 Statement of case submitted 13 January 2017

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
9 December 2016	Appeal reference APP/E9505/W/16/316 3872 BA/2016/0276/FUL BA/2016/0006/REF Gunton Lodge, Broad View Road, Oulton Broad Mr Lloyd Crisp	Appeal against refusal New dwelling and replacement garage	Delegated Decision 20 September 2016 Questionnaire submitted 16 December 2016 Statement of case submitted 13 January 2017
Awaited	APP/E9505/W/16/316 4553 BA/2016/0007/REF Land at Griffin Lane, Thorpe St Andrew BCK Marine	Appeal against refusal Boatshed, storage container and shelter	Delegated Decision 24 June 2016

Decisions made by Officers under Delegated Powers

Report by Director of Planning and Resources

**Broads Authority
Planning Committee**

03 February 2017
Agenda Item No. 15

Summary: This report sets out the delegated decisions made by officers on planning applications from 16 December 2016 to 18 January 2017
Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
Beccles Town Council BA/2016/0329/HOUSEH	11 Northgate Beccles Suffolk NR34 9AS	Mrs Ann Young	Installation of window.	Approve Subject to Conditions
Brundall Parish Council BA/2016/0410/HOUSEH	17 Riverside Estate Brundall Norwich Norfolk NR13 5PU	Mr And Mrs P Newstead	Alterations, extensions and new pitched roof.	Approve Subject to Conditions
Bungay Town Council BA/2016/0413/HOUSEH	Riverside Staithe Road Bungay Suffolk NR35 1EU	Mr Peter Edwards	Forward projecting two storey extension.	Approve Subject to Conditions
Coltishall Parish Council BA/2016/0420/COND	Burebank House 4 Anchor Street Coltishall Norwich Norfolk NR12 7AQ	Mr Giles Bradford	Variation of condition 2: approved plans and condition 3: external materials of permisison BA/2015/0077/HOUSEH	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Ditchingham Parish Council				
BA/2016/0437/NONMAT	The Maltings Pirnhow Street Ditchingham Bungay Norfolk NR35 2RT	Miss Diane Magee	Removal of 2 decorative roof vents from former Silk Mill portion of Block A - non material amendment to permission BA/2014/0400/COND	Approve
Fleggburgh Parish Council				
BA/2016/0373/HOUSEH	Farmhouse Falgate Farm The Common (track) Fleggburgh Norfolk NR29 3DF	Mr And Mrs Dix	Single Storey Rear Extension.	Approve Subject to Conditions
Horning Parish Council				
BA/2016/0384/HOUSEH	Thatch Croft Woodlands Way Horning Reach Horning NR12 8JR	Mr Stephen Pitkethly	Replacement of quayheading.	Approve Subject to Conditions
Mettingham Parish Council				
BA/2016/0412/LBC	White House Farm Low Road Mettingham NR35 1TP	Mr Kevin Holmes	Installation of stove to family room and 2 No. gates.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Neatishead Parish Council				
BA/2016/0409/FUL	Nancy Oldfield Trust Irstead Road Neatishead Norfolk NR12 8BJ	Mr Stephen Bradnock	Replacement of slipway with boat basin and moveable manual boat lifting hoist. Installation of new slipway and boat washing pad.	Approve Subject to Conditions
Oulton Broad				
BA/2016/0402/FUL	Oulton Broad Dayboats Yacht Station The Boulevard Lowestoft Suffolk NR33 9JS	Mr Stephen Wilson	Floating pontoon.	Approve Subject to Conditions
BA/2016/0407/FUL	Waveney And Oulton Broad Yacht Club Nicholas Everitt Park Bridge Road Lowestoft Suffolk NR33 9JR	Waveney And Oulton Broad Yacht Club Ltd	Alterations and extensions to the existing building, replacement of existing balconies and new external stair cases.	Approve Subject to Conditions
BA/2016/0151/COND	Pegasus Marine Caldecott Road Lowestoft Suffolk NR32 3PH	Ed Gilder	Variation of condition 2 of permission BA/2012/0271/FUL to amend various elevations and revise office design	Approve Subject to Conditions
Rollesby Parish Council				
BA/2016/0405/CU	1 Belle Vue Terrace Main Road Rollesby Norfolk NR29 5EG	Mrs Teresa Leech	Change of use from dwelling to retail/showroom.	Approve Subject to Conditions
Somerton Parish Council				
BA/2016/0429/NONMAT	White House Horsey Road West Somerton Somerton Norfolk NR29 4DW	Mr Alan D Brown	Front porch, rear single storey extension and conversion of garage to studio.	Approve
BA/2016/0419/HOUSEH	Barberry Cottage Somerton Road Somerton Norfolk NR29 4DH	Mr Simon Carter	Two storey extension and access alterations.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2016/0351/HOUSEH	Ivy House Horsey Road West Somerton Somerton NR29 4DW	Mr R Davies & Ms S Burrell	Proposed entrance gate, front portico, replace windows, adjustments to elevations, sun pipes, solar panels, new foul water treatment plant and other maintenance items.	Approve Subject to Conditions
Stokesby With Herringby PC				
BA/2016/0372/LBC	Staithe House The Green Mill Road (track) Stokesby With Herringby Norfolk NR29 3EX	Mr B Allen	Outbuilding conversion.	Approve Subject to Conditions

**Circular 28/83: Publication by Local Authorities of Information About the
Handling of Planning Applications**
Report by Head of Planning

Summary: This report sets out the development control statistics for the quarter ending 31 December 2016.

Recommendation: That the report be noted.

1. Development Control Statistics

1.1 The development control statistics for the quarter ending 31 December 2016 are summarised in the table below.

Table 1:

Total number of applications determined	58							
Number of delegated decisions	50 (86.2%)							
Type of decision	Numbers granted				Numbers refused			
	55 (94.8%)				3 (5.2%)			
Speed of decision	Under 8 wks	8-13 wks	13-16 wks	16-26 wks	26-52 wks	Over 52 wks	Agreed Extension	
	38 (65.5%)	3 (5.2%)	0 (0%)	0 (0%)	0 (2%)	0 (0%)	17 (29.3%)	
Numbers of Enforcement Notices	0							
Consultations received from Neighbouring Authorities	9							

Table 2: National Performance Indicators

	BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.		
National Target	60% of Major applications in 13 weeks (or within agreed extension of time)	65% of Minor* applications in 8 weeks (or within agreed extension of time)	80% of other applications in 8 weeks (or within agreed extension of time)
	<i>Majors refers to any application for development where the site area is over 1000m²</i>	<i>*Minor refers to any application for development where the site area is under 1000m² (not including Household/ Listed Buildings/Changes of Use etc)</i>	<i>Other refer to all other applications types</i>
Actual	2 applications received 2 determined in 13 weeks (or within agreed extension of time) (100%)	16 applications received. 15 determined in 8 weeks (or within agreed extension of time) (94%)	40 applications received. 39 determined in 8 weeks (or within agreed extension of time) (98%)

Background papers: Development Control Statistics provided by Broads Authority using IDOX Uniform Electronic Planning System.

Author: Asa Coulstock
Date of Report: 24 January 2017

Appendices: APPENDIX 1 – PS1 returns
APPENDIX 2 – PS2 returns

APPENDIX 1**PS1 returns:**

1.1	On hand at beginning of quarter	47
1.2	Received during quarter	55
1.4	Withdrawn, called in or turned away during quarter	3
1.4	On hand at end of quarter	51
2.	Number of planning applications determined during quarter	58
3.	Number of delegated decisions	50
4.	Number of statutory Environmental Statements received with planning applications	0
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	0
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	0
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	0
7.4	Number of planning contravention notices served	1
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

APPENDIX 2

PS2 Returns

<u>Type of Development</u>	<u>Total Decisions</u>			<u>Total Decisions</u> <u>Time from application to decision</u>						Within Agreed Extension of Time
	<i>Total</i>	<i>Granted</i>	<i>Refused</i>	Not more than 8 wks	More than 8 wks but not more than 13 wks	More than 13 wks and up to 16 wks	More than 16 wks and up to 26 wks	More than 26 wks and up to 52 wks	More than 52 wks	
Major										
Dwellings	0	0	0	0	0	0	0	0	0	0
Offices/ Light Industry	0	0	0	0	0	0	0	0	0	0
Heavy Industry/Storage/Warehousing	0	0	0	0	0	0	0	0	0	0
Retail Distribution and Servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Large-Scale Major Developments	2	2	0	0	1	0	0	0	0	1
Minor										
Dwellings	1	1	0	0	0	0	0	0	0	1
Offices/Light Industry	0	0	0	0	0	0	0	0	0	0
General Industry/Storage/Warehousing	3	3	0	1	1	0	0	0	0	1
Retail Distribution and Servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Minor Developments	12	12	0	8	0	0	0	0	0	4
Others										
Minerals	0	0	0	0	0	0	0	0	0	0
Change of Use	11	8	3	8	1	0	0	0	0	2
Householder Developments	21	21	0	16	0	0	0	0	0	5
Advertisements	3	3	0	2	0	0	0	0	0	1
Listed Building Consent to Alter/Extend	4	4	0	3	0	0	0	0	0	1
Listed Building Consent to Demolish	1	1	0	0	0	0	0	0	0	1
**Certificates of Lawful Development	2	0	2	0	0	0	0	0	0	2
Notifications	0	0	0	0	0	0	0	0	0	0
TOTAL	58	55	3	38	3	0	0	0	0	17
Percentage (%)		91.7%	8.3%	63.3%	5%	0%	0%	0%	0%	31.7%

****Please Note** – Applications for Lawful Development Certificates are not counted in the statistics report for planning applications. As a result these figures are not included in the **Total** column above.

Development Control Statistics provided by Broads Authority using IDOX Uniform Electronic Planning System.