

Broads Authority
Planning Committee

Minutes of the meeting held on 28 June 2019

Present:

In the Chair - Mrs M Vigo di Gallidoro

Mr W A Dickson
Ms G Harris
Mr B Keith

Mrs L Hempsall
Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms N Beal – Planning Policy Officer (for Minute 11/10 and 11/11)
Mr J Ibbotson – Planning Officer (up to and for Minute 11/8(i))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the public in attendance who spoke:

Application BA/2019/0375 /FUL Workshop building, Geldeston Dam, Geldeston

Dr Colin Arnott
Mr Kyle Garrett

Local resident
On behalf of applicant

11/1 Apologies for Absence, Welcome and Housekeeping Matters

The Chair welcomed everyone to the meeting including Andree Gee a prospective new member of the Authority's Planning Committee as an observer.

Apologies had been received from Jacquie Burgess.

The Openness of Local Government Bodies Regulations

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

11/2 Declarations of Interest and introductions

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

11/3 Minutes: 31 May 2019

The minutes of the meeting held on 31 May 2019 were agreed as a correct record and signed by the Chair.

11/4 Points of Information Arising from the Minutes

There were no points arising from the minutes.

11/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

11/6 Chairman's Announcements and Introduction to Public Speaking

Public Speaking

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

11/7 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.

11/8 Applications for Planning Permission

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

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

(1) BA/2019/0375/FUL Workshop building, Gillingham Dam, Gillingham

Change of use from workshop to restaurant and extensions.
Applicant: Mr J Tubby

The Planning Officer commented that the application was before members due to receipt of a number of objections. No further comments had been received since the report had been written.

The Planning Officer gave a detailed presentation and assessment of an amended application for the change of use from previous workshop use to a restaurant or café use (Use Class Order A3) and the extension of the building with a single storey flat roof design to create a seating area. The building had been damaged by fire in its middle section. It

was a non-designated heritage asset due to the positive contribution it made to the Beccles Conservation Area and Broads Landscape Character Area 3. The proposal included details of a wall projecting from the extension closest to the road to the north, and an area of outdoor seating on a raised deck area with balustrade facing the river in front of the proposed extension. It would also retain the existing parking that was provided as required by the S106 Agreement attached to the previous planning application for the erection of houses and flats BA/1994/7217/HISTAP.

The Planning Officer explained that the amended scheme included shorter opening hours than the original application to between 8.00 am to 21.00 pm with the prospective tenant already having establishments in Beccles and Southwold. In terms of the new policies of the Local Plan relating to water safety, which had been one of the main concerns in the representations received, the applicant had agreed to incorporate waterside safety measures and these would be included in any conditions of potential permission. The amended scheme had reduced the size of the extension following discussions with the Authority's design adviser. The Planning Officer explained that the existing moorings were to be retained as private and there was no intention for these to be designated as visitor moorings.

The Planning Officer assessed the application particularly in relation to the principle of the development, impact on the landscape, the neighbouring amenity, design and Conservation Area as well as highways and public rights of way. He addressed the concerns expressed in the representations. He concluded that the application was in accordance with planning policy, particularly policy DM12 on the re-use of historic buildings whereby the derelict building would be brought back into a functional use. The visual impact in the context of the retention of the existing buildings on the site was considered to be positive to the Conservation Area, subject to conditions on the details of materials and construction methods. Being in Flood Zone 3a, a flood response plan would be required. The Highways Authority was satisfied that the access and the parking arrangements were acceptable and were confident that the development would not obstruct the public rights of way. The Planning Officer therefore concluded that the proposal could be recommended for approval subject to conditions.

Members expressed concerns about the car parking especially in relation to the Section 106 Agreement and were concerned that the 50 covers proposed for the café could have an impact on and displace parking facilities for the residents, visitors and anglers. They also queried whether parking for staff had been taken into account.

The Planning Officer supported by the Head of Planning emphasised that Norfolk County Council (NCC) as the Highways had assessed the application and was satisfied that there was sufficient capacity for the existing use and proposed use especially with the proposed 25 spaces

which they required to be marked out. The Highways Authority was well aware of the Section 106 Agreement and had not raised concerns about this being compromised. The Solicitor had also reviewed the proposal in the context of the Agreement and was confident that the proposal would not infringe the terms of the Agreement. The Head of Planning explained that if there was a problem, and/or the terms of the Section 106 Agreement had been breached, this would need to be drawn to the attention of the Highways Authority and discussions required with the landowner to resolve it.

Dr Colin Arnott referred to the representations documented in the report. He emphasised that he was speaking as an individual but expressing the views set out and by the parish council, although he had not been able to contact them at short notice. He was not opposed to the principle of the development as it would involve the renovation of the buildings, which had been in disrepair for a number of years. The main concern was the design. Being in a prominent, popular and attractive location and at the gateway into Beccles, the proposed scheme was considered to be detrimental to the Conservation Area and did not respect the value of a special Broads view. There was also concern about the wall. He pointed out that the area for parking was heavily used in the summer and enjoyed by boaters, walkers and other visitors. The area had also been flooded earlier in the year. It was hoped that the scheme could be amended to provide a better design and also retain the view of the river.

Mr Kyle Garrett, the agent on behalf of the applicant commented that the design of the proposal had been changed as a result of pre-application discussions with the Authority's officers. He acknowledged that when approaching Beccles from Gillingham, it was a very prominent set of buildings which were presently unused and unsightly. The proposal would bring them back into use, prevent them falling into further disrepair and provide an existing small business already in Beccles the opportunity to expand. He explained that the number of parking spaces had been determined and increased by the responses received from officers. He commented that the land to the south of the site was in the applicant's ownership and if necessary there could be the opportunity to expand the car parking area if required.

In response to a member's question, the Planning Officer commented that the wall included within the design, had been the result of pre-application discussions in order to provide a more stepped down boundary treatment than originally proposed, to screen the decked area and help to mitigate noise.

Members were not opposed to the principle of the development but had concerns over car parking and the need to take account of the views of residents. It was noted that the conditions included provision for cycle parking and it was suggested that this needed to be made more prominent to encourage visitors using alternative transport to cars.

Lana Hemsall proposed, seconded by Vic Thomson that the application be approved as set out in the Officer's report (Para 7 and 8.1)

On being put to the vote, the result was 3 in favour, 3 against and one abstention. On the basis of the Chairman's casting vote it was

RESOLVED

to approve the application subject to the conditions outlined within the report. The scheme is considered to be in accordance with all relevant planning policy, specifically DM12 (Re-use of Historic Buildings) of the adopted Broads Local Plan 2019 and would preserve and enhance the appearance of the Conservation Area through the retention of the non-designated heritage area.

The Head of Planning commented that officers were mindful of the Committee's significant concerns and the applicant's agent would be able to convey these to the applicant.

11/9 Enforcement Update

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

Marina Quays. The owners had undertaken some remedial works in tidying up the site but unfortunately it continued to be the subject of some vandalism. It was anticipated that a planning application would be brought to the next Planning Committee meeting.

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

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

RESOLVED

that the report be noted.

11/10 Consultation Documents and Proposed Response: Consultation Documents received from North Norfolk District Council

The Committee received a report on the consultation documents from North Norfolk District Council relating to its Local Plan, at the preferred options stage in the policy development process. In addition to the Local Plan these included the Draft Landscape Character Assessment SPD, Landscape Sensitivity Study and Draft Design Guide.

The main theme running through the proposed comments was the need to make reference to the merits of the Broads, the Authority's executive area and its status equivalent to a national park as well as making reference to a number of cross boundary issues. In some instances, it was suggested it would be worthwhile referring to and incorporating Broads Local Plan policies.

Members were supportive and appreciative of the detailed comments outlined as the Authority's response. They also considered that these should include reference to the increased transport pressures and impact on the Broads as a result of the increased development proposed within the plans, the increase in numbers of visitors and the need to consider mitigation measures. A member queried whether the number of 11,000 new homes stated as being proposed for North Norfolk between now and 2036, was the total or more than that which had already been allocated. The Head of Planning commented that this was the base line but officers would investigate further and provide details following the meeting.

RESOLVED unanimously

that the proposed response to the consultation documents with the additional comments made above be endorsed and forwarded to North Norfolk District Council.

11/11 Designating Filby as a Neighbourhood Area

The Committee received a report introducing the Filby Neighbourhood Plan. The nomination was received on 10 June 2019, this was followed by a six-week consultation between and 2019. The proposed area covered the whole of Filby Parish. There were no known or obvious reasons to not agree the Neighbourhood area.

RESOLVED

that the entire parish of Filby, as set out in the map contained in the report, become a Neighbourhood Area in order to produce a Neighbourhood Plan.

11/12 Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since 1 January 2019, of which there were four. It was noted that 2 site visits by the Inspector were due to be held in the following week.

RESOLVED

that the report be noted.

11/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 17 May 2019 to 13 June 2019.

RESOLVED

that the report be noted.

11/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 19 July 2019 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The Chairman announced that this would be Gail Harris' last meeting of the Authority, commenting that she would be greatly missed. On behalf of everyone she thanked her for her contribution and wished her well for the future.

The meeting concluded at 11.40 am

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: **Planning Committee**

Date of Meeting: 28 June 2019

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Melanie Vigo di Gallidoro	8	Lobbied by objector by email
Haydn Thirtle	11	Filby Neighbourhood Area. Instigated plan via Filby Parish Council