

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 20 July 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Mr M Barnard  
Prof J Burgess  
Mr W Dickson  
Ms G Harris

Mr B Keith  
Mr P Rice  
Mr J Timewell

In Attendance:

Ms N Beal – Planning Policy Officer  
Mrs S A Beckett – Administrative Officer (Governance)  
Mrs K Judson – Planning Officer (Minute 13/8(1) )  
Mr T Risebrow – Planning Officer (Compliance and Implementation)  
(Minute 13/9)  
Ms C Smith – Head of Planning  
Mrs M-P Tighe – Director of Strategic Services

**13/1 Apologies for Absence and Welcome**

The Chair welcomed everyone to the meeting.

Apologies had been received from Mrs L Hemsall, Mr H Thirtle and Mr V Thomson.

**13/2 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.

The Chair welcomed John Timewell to his first meeting since she had been Chair.

**13/3 Minutes: 22 June 2018**

The minutes of the meeting held on 22 June 2018 were agreed as a correct record and signed by the Chair.

**13/4 Points of Information Arising from the Minutes**

**Broads Local Plan**

The Director of Strategic Services reported that although the Examination In Public (EIP) had been scheduled to take place over the two weeks 2 -3 July 2018 and 16 – 20 July 2018, unfortunately the Inspector had been taken ill

after the second day and therefore some of the sessions for the first week and all the sessions for the second week had to be cancelled. It was hoped that the Inspector would be fully recovered to resume the EIP in early September although no dates had been confirmed.

**13/5 To note whether any items have been proposed as matters of urgent business**

No items of urgent business had been proposed.

**13/6 Chairman's Announcements and Introduction to Public Speaking**

**(1) The Openness of Local Government Bodies Regulations**

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

**(2) Public Speaking**

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

**13/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer consideration of the application had been received. The Chair commented that she intended to vary the order of the agenda to enable the Planning Policy Officer to present items 10 and 13 consecutively.

**13/8 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 the decision as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

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

**(1) BA/2018/0137/FUL Lynwood, Irstead Road, Neatishead,**

Replacement dwelling  
Applicant: Mrs Christine Beden

The Planning Officer (Compliance and Implementation) provided a detailed presentation and assessment of the application for the replacement of an existing 1960's construction single storey bungalow with a 1 and a half storey dwelling house on the Neatishead Road, south of Lime Kiln Dyke in the Neatishead Conservation Area. It was emphasised that the design had been amended from the original scheme following consultation with the Authority's Design Officer and as a result of a number of concerns from neighbours and consultees.

Since the writing of the report further consultations had been received from Neatishead Parish Council who no longer had any objections and had no issue with the amended plans that had been submitted by the applicant. Additionally they wished to thank the applicant for listening to the comments raised. It was also noted that the neighbour who had originally objected on amenity grounds had withdrawn their objection following the submission of the amended plans. One objection did remain but that was in respect of the original plans.

In assessing the application, the Planning Officer drew particular attention to the issues of the design, the impact on the character of the Conservation Area, amenity and trees. The Planning Officer considered that the amended plans were appropriate by virtue of the reduced massing of the replacement dwelling, its location and design and the fact that it was in character with the immediate street scene and the wider character of the Conservation Area. It was not considered that there would be an adverse impact on amenity, trees, access or ecology. Therefore in conclusion the Planning Officer recommended that the application with the amended plans could be approved subject to conditions.

Members noted that the application could have been dealt with under delegated powers if the objections had been withdrawn prior to submission to the Committee. They welcomed the proposals considering that the application would make a positive enhancement of the Conservation Area. They considered it refreshing for the concerns to have been resolved through negotiation and active support of the Authority's Design Officer's views and expressed appreciation to all concerned.

Jacquie Burgess proposed, seconded by Paul Rice and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report including a condition that the development be in accordance with the amended plans. The application as amended

accords with the NPPF and Policies DP1, DP2, DP4, DP5, DP11, DP24 and DP28 of the Development Management Policies DPD (2011)

### **13/9 Enforcement Update**

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

**Former Marina Keys, Great Yarmouth** (untidy land and buildings). Negotiations were still underway and an application was expected within the next month.

**Barnes Brinkcraft** (the non-compliance with a planning condition). An application had been received and the Navigation Committee had been consulted. They had agreed not to raise an objection provided that encroachment into the navigation did not extend beyond the limit of the barge originally moored in that location. Officers were monitoring the current situation over the summer season to ensure that the landowners were able to implement the scheme that was the subject of the application.

#### **Burghwood Barns**

The Planning Officer (Compliance and Implementation) provided the Committee with an update on the breaches of planning control and the enforcement. He explained that he had visited the site very recently and unfortunately the three elements of the Enforcement Notice relating to the removal of the paved paths on the periphery of the site and the removal of the gazebo had still not been complied with. He reported how he had explained to the landowners the potential for prosecution and informed the Committee of the response from the owners concerning their circumstances.

Members considered the options available to the Committee, noting that there were other breaches of condition that would be forthcoming over the next few months which, if no action was taken at this juncture, could compound the situation. They were fully aware of the sensitive nature of the situation and considered that in the interests of fairness the owners be given a little bit more time to comply, but also recognising that the original compliance time had been extended on other occasions. They thanked officers for the systematic and sensitive approach being taken.

Paul Rice proposed, seconded by John Timewell and it was

RESOLVED by 6 votes to 0 with one abstention (the member having been called from the room for some of the discussion)

That the Officers write to the owners explaining that the Authority was fully aware of their circumstances but before initiating prosecution procedures in the interests of fairness would allow them a further 14 days from the date of the letter to comply with the requirements of the Enforcement Notice.

Members thanked the officers for all the updates.

RESOLVED

that the report be noted.

**13/10 Flood Risk and Strategic Flood Risk Assessment (SFRA) Joint Position statement with the Environment Agency**

The Committee received a report on the updated Joint Position statement produced by the Broads Authority and the Environment Agency as a result of updating the flood risk model for the Broads area by the Environment Agency. As part of the report the Committee received a tracked version of the Joint Position Statement to indicate the changes that had been made. Subject to the Committee agreeing the document, a clean version would be placed on the website for the Planning Inspector examining the Local Plan. It was noted with disappointment that there would be delay in the model but its updating could coincide with the next SFRA in 2021 and therefore the flood risk data would be up to date at that time. This did not necessarily present an issue for the Local Plan as the thrust of the original statement was still valid and the Environment Agency was fully supportive of the stance being taken by the Authority and was due to provide this at the Local Plan Hearing.

RESOLVED unanimously

that the report is noted and the amended Joint Position Statement with the Environment Agency is endorsed.

**Item 13 was dealt with at this point in the meeting**

**13/11 Tree Preservation Orders TPO – Confirmation of Phase**

The Committee received a report providing an update on the review of Tree Preservation Orders, particularly after the redrafting and re-issuing of 15 TPOs for consultation in April 2018. The Committee was provided with the feedback from the consultation and welcomed the support received, particularly relating to that where the Committee had had a site inspection. It was noted that this now completed the review. It was unlikely that the TPOs would be reviewed again within the next ten years, subject to individual circumstances as and when.

RESOLVED

that the report be noted and that the 15 new Tree Preservation Orders issued as set out in the Appendix to the report be confirmed and the corresponding existing orders be revoked and note that one order (BA/2018/0002/TPO) is left unconfirmed in order that it may expire.

**13/12 Article 4 Directions Consultation Update**

The Committee received a report and presentation on the review of Article 4 Directions in the Authority's Executive Area following on from the report presented to Committee on 3 March 2017. This had identified 24 Article 4 Directions covering a variety of development types throughout the area. Following the decision of the meeting in 2017 to retain 15 Article 4 Directions, the landowners and the relevant Parish Councils were notified. Consultation also took place concerning 7 of the Article 4 Directions proposed for removal. The Navigation Committee had been consulted in relation to those covering retail sales from moored vessels and had been in favour of retaining this, especially as it had been very helpful to the Rangers.

Members noted that strong objections had been received against the removal of the Article 4 Directions for the two sites at Anchor Street in Coltishall, as it was considered that they gave a considerable degree of protection of the special landscape. Therefore members supported the officers' view that they be retained.

Attention was also given to the case of Holly Lodge, Wroxham where the recommendation had originally been to remove the Direction for the erection of boundary treatments. However, having recently visited the site and taking account of the concerns expressed, it was considered that there was sufficient planning justification to retain the Article 4 Direction at this location.

With regard to the area in Halvergate with the Article 4 for the Travelling shows and camping, contrary to the report and despite the current landowner expressing the view that he intended to retain the area as grazing since it was currently managed under the stewardship scheme, Members were of the view that the views of Acle Parish Council should be supported. Given the uncertainties over stewardship and funding following Brexit, as well as potential change in ownership, they considered a more cautious approach needed to be taken. They therefore considered that this Article 4 should be retained.

In conclusion

RESOLVED unanimously

that existing Article 4 Directions be retained in respect of.

- (i) Retail sales from moored vessels- 23 moorings
- (vi) Caravans, camping and temporary uses - Anchor Street, Coltishall
- (viii) Works to unadopted streets - Anchor Street, Coltishall;
- (v) Erection of boundary treatments – Holly Lodge in Wroxham
- (x) Travelling shows and camping - Halvergate

That existing Article 4 Directions be removed in respect of:

- (iii) Temporary uses of land - Brundall Riverside

- (iv) Holding of markets, motor and motorcycle racing and clay pigeon shooting - Church Road, Hoveton

### **13/13 Consultation Documents and Proposed Responses**

The Committee received a report setting out the consultation together with Authority's proposed responses for:

Norfolk County Council – Minerals and Waste – Issues and Options  
Suffolk County Council - Minerals and Waste Local Plan

#### *Norfolk County Council*

It was noted that as with the Authority's Issues and Options paper, this was the first public consultation stage of the production of the Minerals and Waste Local Plan and not all the sites which were proposed would be allocated. Members welcomed the proposed response. In particular attention was drawn to the paragraph relating to Min 38 Land at Waveney Forest/ Fritton Woods. There was some considerable history with the Parish Council objecting strongly to this site. Norfolk County Council's conclusion was this site should not be allocated for the reasons set out in its assessment. Members of the Planning Committee strongly supported this view and fully endorsed the comments set out in the report.

#### *Suffolk County Council*

It was noted that this was the pre-submission of the Local Plan where the final version of the plan was published for further consultation. Members were fully supportive of the comments and agreed these should be submitted.

**RESOLVED**

That the reports be noted and the nature of the proposed responses to Norfolk County Council on its Minerals and Waste issues and Options document and Suffolk County Council on its Mineral and Waste Local Plan pre-submission document be welcomed and endorsed for submission to the respective councils.

### **13/14 Appeals to the Secretary of State**

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. A start date from the Inspectorate had not yet been received.

**RESOLVED**

that the report be noted.

### **13/15 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 6 June 2018 to 4 July 2018. It was noted that the last two applications which had been approved had arisen as a result of the monitoring programme.

Members were appreciative of the monitoring work being undertaken and welcomed the report.

RESOLVED

that the report be noted.

### **13/16 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 17 August 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The Chair reported that the meeting on the 17 August would begin with the appointment of the Chair and Vice-Chair for the coming year. An email requesting nominations will be sent out immediately after the Broads Authority meeting on 27 July 2018. The deadline for the receipt of nominations will be required by the 3 August 2018.

The meeting concluded at 11.20 am

CHAIRMAN

**APPENDIX 1**

**Code of Conduct for Members**

**Declaration of Interests**

**Committee:**           **Planning Committee**

**Date of Meeting:**   20 July 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Paul Rice		Chairman Broads Society Item 8 as North Norfolk District Councillor for the area.
Jacque Burgess		As previously declared
Bruce Keith		As previously declared