

Broads Authority
Planning Committee

Minutes of the meeting held on 7 December 2018

Present:

In the Chair - Mrs M Vigo di Gallidoro

Mr M Barnard
Mr W A Dickson
Ms G Harris

Mrs L Hemsall
Mr H Thirtle

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms N Beal – Planning Policy Officer (Minute 5/10 – 5/12)
Mr B Hogg – Historic Environment Manager
Ms L Ibbitson-Elks – Planning Officer (Compliance and Implementation)
Mr J Ibbotson – Planning Officer (up to and for Minute 5/8(1) and Minute 5/8(2))
Mr C Pollock – Planning Assistant (Up to and for Minute 5/8(3))
Ms C Smith – Head of Planning

5/1 Apologies for Absence, Welcome and Housekeeping Matters

The Chair welcomed everyone to the meeting.

Apologies had been received from Prof Jacquie Burgess, Mr Bruce Keith, Mr Paul Rice, Mr Vic Thomson and Mr John Timewell.

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.

5/2 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 Chairman declared a general interest on behalf of all members concerning applications:

- BA/2018/0266FUL and 0267LBC as this was part of the Landscape Partnership Scheme WMM project where the Broads Authority was a partner; and

- BA/2018/0399/FUL Adjacent Moorings New Mills Yard, Norwich as the Broads Authority was the applicant

The Head of Planning introduced Linda Ibbitson-Elks as the Authority's new Planning Officer (Compliance and Implementation).

5/3 Minutes: 9 November 2018

The minutes of the meeting held on 9 November 2018 were agreed as a correct record and signed by the Chairman.

5/4 Points of Information Arising from the Minutes

There were no points of information to report.

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

There were no items of urgent business.

5/6 Chairman's Announcements and Introduction to Public Speaking

There were no members of the public in attendance who wished to speak.

5/7 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.

5/8 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 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/2018/0 325/FUL Hoveton Great Broad, Lower Street, Hoveton**
Viewing Platform
Applicant: Natural England

The Planning Officer gave a detailed presentation and assessment of the application to provide an elevated viewing platform within the Bure Marshes National Nature Reserve. The viewing platform would be located centrally adjacent to the nature trail footpath and provide a view into a secluded and enclosed area of open water as well as carr woodland. It would replace a dilapidated bird hide which was no longer

functioning and had to be removed. The design of the viewing platform included an extra level but this would not be wheelchair accessible. Access into the site was only by foot having reached the site by boat initially. This was another public access scheme following from the previous applications at Hoveton Great Broad and Natural England's work involving bio-manipulation within the Nature Reserve, funded by Heritage Lottery and where there had been considerable interest.

The Planning Officer explained that the area was privately owned but managed by Natural England as part of the Bure Marshes National Nature Reserve. He emphasised that the nature trail was not a public right of way. Natural England had access rights which it offered to the public but with the permission of the landowner. The site was within Flood Zone 3 and the Environment Agency was satisfied with the Flood Risk Assessment and advised that a condition requiring a Flood Response Plan be prepared prior to the commencement of the use of the viewing platform.

Having assessed the application in terms of the main issues of principle, design impact upon protected species or habitat and flood risk, the Planning Officer concluded that the proposed viewing platform could be recommended for approval. The proposed platform would replace a previous bird hide, and was considered to be of an acceptable design. Given its increased area of capacity it would accommodate groups and support facilities, which were educational in nature and relate to the promotion of the conservation of the environment as well as ensure improved access. The proposed structure would not harm the character and appearance of the site or wider area as the established woodland screened the site from public view. The application was therefore in accordance with development plan policies particularly Policy DP27.

Members fully supported and commended the application as it would improve the educational facilities and general access. However, they expressed disappointment that the proposals had not taken into account or made sufficient provision for disabled access. This was considered important for any future such applications. Concerns were also raised about the scale of the structure.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report. The proposal is considered to be in accordance with Policies CS9 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP11, DP27 and DP29 of the Development Plan Document (2011), and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

(2) **BA/2018/ 0266/FUL and BA/2018/0267/LBC Six Mile House Drainage Mill, Acle New Road, Halvergate**

Works to conserve mill, including the installation of new doors & windows, flat roof & access ladders

Applicant: Water Mills & Marshes Landscape Partnership Scheme

The Planning Officer provided a presentation outlining the application for the restoration of the Grade II Listed Six Mile House Drainage Mill, which was part of the Water Mills and Marshes (WMM) Landscape Partnership Scheme project and fell within the Halvergate Marshes Conservation Area. The works would include renovation and maintenance to protect the building from further decline and enhance its appearance within the landscape. It was emphasised that the two applications did not seek to bring the building back into specific use but would not preclude further restoration to include the future refitting of a new cap and sails.

Since the writing of the report a response had been received from the Environment Agency on 6 December that now removed their holding objection having received a Flood Risk assessment and Flood Response Plan with which they were satisfied. If there were any future changes in use, a new Flood Risk Assessment and Plan would be required. It was noted that Historic England fully supported the proposed works.

In assessing the application, the Planning Officer took account of the main issues which were the principle of the development, this being the significance of the heritage asset and its importance in the marsh landscape, as well as ecology and flood risk. The Planning Officer concluded that the proposed works resulted in a scheme that would conserve a listed building and would enhance its significance, its fabric, character and appearance whilst also make a positive visual impact on the wider marshland setting of the Mill. As the Environment Agency had now withdrawn their holding objection, the Planning Officer amended the report recommendation and recommended the approval of the application subject to conditions.

Members fully supported the proposals.

They noted that the works would form part of the heritage building training skills programme being undertaken in association with Norwich City College as part of the WMM project and welcomed this. Members considered that a site visit to see the work of the WMM project would be beneficial.

The Historic Environment Manager confirmed that the intention was to arrange a site visit for all members in association with the Water Mills and Marshes project in the early Spring.

Haydn Thirtle proposed, seconded by Gail Harris and it was

RESOLVED unanimously

that the applications be approved subject to conditions outlined within the report. The proposals are considered to be in accordance with Policies DP4, DP5, DP27 and DP29 of the Development Plan Document (2011), and comply with the statutory duty of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act as having special regard to preserving listed buildings. It is in accordance with the National Planning Policy Framework (2018) which is a material consideration in the determination of the applications.

(3) **BA/2018/0399/FUL Adjacent the Moorings, New Mills Yard, Norwich,**

Proposal: Install canoe launch pontoon.

Applicant: Mr Mark King (Broads Authority)

The Planning Assistant provided a presentation on the application for the installation of a pontoon for a canoe launch parallel to the concrete staircase adjacent to the Riverside Walk south east of New Mills Yard in Norwich. The aim was to encourage the use of canoes on the River Wensum in accordance with the River Wensum Strategy.

Since the writing of the report no further consultation comments had been received. However, Councillor Martin Schmierer from Norwich City Council had commented that he had received a number of representations concerning noise, anti-social behaviour and littering which would result from the installation of the pontoon. Although he recognised that this was not a planning matter he wished these matters to be taken into account. The Planning Assistant commented that this would be a matter relating to the management of the site and health and safety which would be the responsibility of Norwich City Council and/or the police. In response to the request from Norwich City Council, it was confirmed that the structure would be maintained by the Broads Authority and this would be secured by planning condition.

Having assessed the application on the main issues of principle, design, impact on neighbouring amenity and impact on navigation, the Planning Assistant recommended approval subject to conditions. The proposal was considered to be in accordance with the River Wensum Strategy and Access to Water, the design was considered appropriate for the area and would not result in an unacceptable impact on residential amenity.

Members commended and welcomed the proposals. There was some concern relating to safety in that the railings did not extend down the full length of the steps into the river. However, it was considered that this could be to do with manoeuvrability for the canoes and officers

would take this matter up as a safety issue with the applicant. The scheme was part of a portage project to enable access for canoes to either side of the New Mills weir. In response to a member's question, it was confirmed that there was sufficient car parking within the vicinity and therefore the suggestion of appropriate signposting should be taken on board.

Gail Harris proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report. The proposal is considered to be in accordance with Policies DP4, DP12 and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

5/9 Enforcement Update

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

Burghwood Barns, Burghwood Road, Ormesby St Michael. A provisional court date of 18 December 2018 had been set. The applicant had subsequently indicated that he intended to comply with the notices and discussions were underway.

Marina Quays. The application had been withdrawn and the applicants were considering the submission of a revised new application.

Barnes Brinkcraft, Riverside Estate, Hoveton. Following the issuing of the Planning permission on 14 November 2018, mooring was taking place in accordance with the permission. This item would be taken off the schedule at the next meeting.

Former Waterside Rooms, Station Road, Hoveton. The majority of works had now been completed and compliance with the Section 215 Notice achieved. This would be taken off the schedule.

Members welcomed the progress made.

RESOLVED

that the report be noted.

5/10 Consultation Documents and Proposed Response

**Wroxham Neighbourhood Plan
Greater Norwich Local Plan – Site Consultation.**

The Committee received a report providing the Officers' proposed response on the recent consultation from Wroxham Parish Council on the Wroxham Neighbourhood Plan and Norwich City Council on the Greater Norwich Local Plan extra sites consultation.

(1) Wroxham Neighbourhood Plan

The Planning Policy Officer commented that the consultation response sought clarification on a number of points, particularly in relation to Policy HBE1 where the approach appeared to be contradictory to the Authority's policies. The points raised would be considered by the independent examiner.

A Member queried the Neighbourhood Plan's stance on the economy.

Members welcomed and endorsed the proposed response, considering it to be very thorough. It was important that Neighbourhood Plans within the Broads area complied with the Broads Local Plan with which they were aligned.

RESOLVED unanimously

- (i) that the report is noted and the proposed responses in the report be endorsed for forwarding to Wroxham Parish Council.
- (ii) that the Chief Executive in consultation with the Chair of the Authority and the Chair of the Planning Committee is delegated to submit the Wroxham Neighbourhood Plan to independent examination on assessment of the comments received after the public consultation end, subject to no new issues being raised and forwarded to Wroxham Parish Council.

(2) Greater Norwich Local Plan – Extra Sites Consultation

The Planning Officer explained that the current consultation covered newly submitted sites, revisions to some of the sites already consulted on in January 2018 and small sites. Members noted that there was one proposed objection relating to the proposed site for residential development of 6 dwellings in Brundall which was considered inappropriate. The extension and intensification of the development up to the Broads boundary was to be resisted as it would have an adverse impact on the Broads landscape character, biodiversity, water flows and drainage.

The Planning Policy Officer read out a letter from some Coltishall residents expressing concerns. However, the area was further than the 8 metres outside the Broads National Park (as stated by the residents) and it was not considered that the residents' comments affected the "No Comments" response from the Authority. The residents would be able to put their case in writing directly.

Members welcomed the comments concerning Norwich Riverside and King Street relating to the potential opportunities for enhancement, interpretation and promoting the historic heritage through the relationship with the river and historic houses.

RESOLVED unanimously

that the report is noted and the proposed responses be endorsed for submission to Norwich City Council.

5/11 Oulton Neighbourhood Plan –Amended Neighbourhood Plan Boundary.

The Committee received a report relating to the proposed amendments to the Oulton Neighbourhood Plan boundary, submitted by Oulton Parish Council as a result of the recent parish boundary amendments in the Lowestoft, Oulton and Oulton Broad area. Following consultation it had been agreed that the amended Neighbourhood boundary be the same as the amended Parish Council boundary.

RESOLVED unanimously

that the amended Oulton Neighbourhood Plan boundary be endorsed.

5/12 Annual Monitoring Report (AMR)

The Committee received a report introducing the Annual Monitoring Report for the 2017/18 financial year 1 April 2017 to 31 March 2018, which covered Planning Policy and the progress on the Local Development Scheme as well as work under the auspices of Duty to Cooperate, and Development Management which related to planning applications and appeals.

With reference to the Self-Build, the Planning Policy Officer drew attention to Pages 28 of the AMR. She reminded members that the Authority had received an exemption to give suitable development permission for enough serviced plots of land to meet the demand for self-build and custom build planning, since it demonstrated that the 20% threshold was exceeded. It was emphasised that the Authority had a Self Build Register, as it was required to do, and this was on the Authority's website. The Authority had to have regard to it but not the duty as a result of the exemption.

Members were pleased to note an excellent piece of work.

With reference to the Local Development Scheme and progress on the Broads Local Plan, the Planning Policy Officer confirmed that following the Inspector's Examination in public in July and September 2018, the Authority had been tasked to clarify a number of matters relating to policies:

- retail policies in Hoveton Town centre
- residential moorings – where these could be permitted and
- possible sites for St Olaves.

Officers had responded providing a few minor changes, some more significant and generic related. The Authority had very recently received some preliminary comments from the Inspector and would be responding to this preliminary feedback. Once the final report was received, which would not be until mid-January 2019, there would be Modifications to the Local Plan which would be the subject of a formal consultation. The Authority meeting on 23 November 2018 had agreed that in the interests of expediency, the Chief Executive in consultation with the Chair of the Authority and Chair of Planning Committee had been delegated to authorise the consultation on the Modifications once the Inspector's instructions were received.

The Head of Planning expressed disappointment at the further delay but officers were endeavouring to be as efficient as possible. It was hoped that the Local Plan could be adopted in May 2019. Once adopted it would be necessary to examine compliance with the new NPPF, although they were content that the Local Plan currently met its requirements.

RESOLVED

that the report is noted.

5/13 Tree Preservation Orders

The Committee received a report and presentation identifying two new Tree Preservation Orders for confirmation following consultation. Tree Preservation Orders were served on trees considered to be under threat in August 2018 at

- BA/2018/0020/TPO Little Barn, Low Road, Shipmeadow in Suffolk covering 10 Beech and 1 Elm and
- BA/2018/0021/TPO The Old Vicarage, Horning Road, Hoveton St John, Norfolk covering mixed species including Ash, Beech, Bay, Copper Beech, Cedar, Lawson Cypress, Leyland Cypress, Lime Laurel, Norway Spruce, Oak, Scots Pine, Sycamore.

There was a statutory six week consultation period during which no objections were received to either of the provisional TPOs. One representation referred to the recent work which had prompted the serving of the provisional order at Shipmeadow.

It was noted that TPOs did not prevent work being undertaken on trees only that their management should be appropriate and agreed by the Authority. Officers encouraged landowners to enter into a management agreement for the trees so as not to require continued applications to the Authority.

The Historic Environment Manager confirmed that the Authority had completed the review of existing TPOs earlier in the year. It would continue to review these regularly and bring any new orders to the Committee as required.

RESOLVED unanimously

that the two new TPOs – BA/2018/0020/TPO at the Little Barn, Shipmeadow and BA/2018/0021/TPO The Old Vicarage, Horning Road, Hoveton St John be confirmed.

5/14 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. The Authority had at last received the start date for the appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne.

RESOLVED

that the report be noted.

5/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 25 October 2018 to 22 November 2018. There were no applications which had resulted from the monitoring programme, which was pleasing to note.

RESOLVED

that the report be noted.

5/16 Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications

The Committee received a report setting out the development control statistics for the quarter ending 30 September 2018.

RESOLVED

That the report be noted and welcomed.

5/17 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 11 January 2019 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.50 am.

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 7 December 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Melanie Vigo di Gallidoro All members of the Planning Committee	5/8 (2) and(3) BA/2018/0266/FUL & 0267/LBC BA/2018/0399/FUL	Broads Authority partner involved in WMM LPS project Broads Authority is the applicant
Gail Harris	5/8(3)	Project is part of River Wensum Strategy. I am appointed by Norwich City Council and the Council is a partner in the River Wensum Strategy.
Gail Harris	Item 5/10	Appointed by Norwich City Council Greater Norwich Local Plan – extra site consultation.