

Broads Authority

Planning Committee

Minutes of the meeting held on 28 March 2013

Present:

Dr J M Gray – in the Chair

Mr M Barnard	Mr A S Mallett
Prof J Burgess	Mr P E Ollier
Mr C Gould	Mr P Rice
Mr M T Jeal	Mr R Stevens
Dr J S Johnson	

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr F Bootman – Planning Officer
Mr P Cox – for the Solicitor
Mr B Hogg – Historic Environment Manager
Ms A Macnab – Planning Officer
Mr A Scales – Planning Officer
Ms C Smith – Head of Development Management
Miss K Wood – Planning Officer

Members of the Public in attendance who spoke:

BA/2013/0035/FUL Compartment 19 Right Bank of the River Yare, Between Carlton Beck and Langley Dyke

Mr Jeremy Halls (BESL) Agent on behalf of the Applicant

BA/2013/ BA/2012/0258/FUL White House Farm, Clint Street, Ludham

Mr M Flett	Chairman of Ludham Parish Council
Mr M Whitaker	Objector
Mr Tubby	The Applicant
Mr J Wilson	}Environmental Health Officers North Norfolk
Ms R Smith	}District Council

BA/2013/0023/FUL Land Adjacent to River Bure, Staithe Way Road, Wroxham

Mr Anthony Knights	Agent on behalf of the Applicant
Mr John Frankland	Owner of Bistro

BA/2013/0056/FUL and BA/2013/0057/FUL Hill Farm, The Hill, Limpenhoe

Mrs Ann Russell	Objector
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**BA/2013/0312/FUL Surlingham Ferry House Public House,
Surlingham**

Ms Sonia Cox

The Applicant

BA/2013/0034/FUL The River House, 10 Skinners Lane, Wroxham

Mr Richard Colman

Objector

Mr Purnell

The Applicant

BA/2013/0008/FUL The Old Post Office, School Lane, Smallburgh

Ms S Hall

The Applicant

10/1 Apologies for Absence and Welcome

Apologies for absence were received from Miss S Blane, Mrs J Brociek-Coulton and Mr N Dixon.

The Chairman welcomed everyone to the Planning Committee and gave an outline of its composition.

10/2 Declarations of Interest

Members introduced themselves and expressed declarations of interest as set out in Appendix 1 to these minutes.

10/3 Minutes: 1 March 2013

The minutes of the meeting held on 1 March 2013 were agreed as a correct record and signed by the Chairman.

10/4 Points of Information Arising from the Minutes

There were no points of information arising from the Minutes.

10/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

10/6 Chairman's Announcements and Introduction to Public Speaking

(1) The Chairman gave notice of the **Fire Regulations**.

(2) **RTPI Planning Summer School 6 - 9 September 2013
University of Leeds 80th Anniversary. Theme: Planning for
Prosperity to include practitioners and councillors**

Members received notice of the annual RTPI conference to be opened by Lord Taylor of Goss Moor. Topics would include: Design, Update on

Neighbourhood Plans, Advice on Planning and Probity, How the environment can help secure a prosperous future. Anyone interested in attending should inform the Administrative Officer.

(3) Public Speaking

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 revised Code of Conduct for Members and Officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

10/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer any applications had been received. The Chairman announced that he intended to take those applications where members of the public were present first.

10/8 Applications for Planning Permission

The Committee considered applications 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 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/2013/0035/FUL Compartment 19 - Right Bank of The River Yare, Between Carleton Beck and Langley Dyke

Flood defence works including strengthening / rollback of floodbanks, soke dyke excavation with a temporary site compound and associated engineering works

Applicant: Environment Agency

Mr Gould declared a personal interest in the application and absented himself as a member of the Committee from the debate.

The Planning Officer explained that the application was for flood defence works along a 3.5 kilometre length of floodbank and would provide protection for an area of some 270 hectares of mainly grassland (much of which had only recently reverted from arable and was of limited biodiversity value). He explained that there would be improvements around the Beauchamp Arms PH and Buckenham Sailing Club with much of the piling being retained and there would be improvements to the slipway area, all of which were in the north

western corner of the compartment. The Broads Authority 24 hour moorings on the south side of Langley Dyke would be unaffected.

The Planning Officer drew attention to the Langley Conservation Area and Langley Abbey including its grounds which was a scheduled ancient monument which fell within part of the compartment. Since writing the report, comments had been received from English Heritage who considered that the works would improve the setting of the monument and act to maintain the drainage network. They had no objection in principle and considered that the works could be highly beneficial to the setting of the monument. He also drew attention to the route off the A146 that lorries would be taking through part of the residential area of Chedgrave, during the works.

In addition to the main issues within the assessment, the Planning Officer focussed on those issues specifically relating to this site namely:

- The impact on habitat and ecological interest particularly the impact on wintering birds, details on which Natural England was now satisfied.
- The impact on recreation –
 - the sailing club had requested that the works should be timed so as not to interfere with the events of the Club and BESL had agreed to provide a schedule of works in order that plans could be made to avoid conflict. Appropriate conditions would be imposed concerning timing of works; and
 - the Broads Society's comments regarding provision of public access. Although it was accepted that there would be benefits to extend the Wherryman's Way, this would require cooperation from the landowner(s). The Authority was not in a position to insist on this or withhold consent on this basis. However, there could be potential for extending public access in the future.
- The impact on highways - The Highways Authority was satisfied that the route chosen with the movements proposed over a limited 4 week period was acceptable. However, it had been recognised that it went through the residential area of Chedgrave and had suggested conditions limiting the timing of deliveries to avoid peak hours and school times.

The Planning Officer concluded that based on revision to the initial scheme, and the submission of further information from BESL, the application would provide enhanced flood defences protecting land and businesses; nature conservation management interest; preserve recreational opportunities and safeguard heritage interests. The loss of grazing marsh of limited bio-diversity interest was acceptable and was outweighed by the benefit of greater protection to a wide area of

grazing marsh. He therefore recommended approval as it was in accordance with the development plan for the Broads.

Mr Gould as a resident of Rectory Lane in Chedgrave, the preferred route for the import of clay from Langley Dyke, explained his objections and concerns about the choice of route which was only 11' wide with no footpath and a main route for the Langley School bus. He was concerned about the safety aspects as well as the damage to the road. He suggested an alternative route through Bridge Lane, Loddon which was wider and had a footpath.

The Planning Officer commented that although the concerns were appreciated and alternative routes had been considered, the Highways Authority was the technical expert and was satisfied with the route chosen.

Mr Gould left the meeting for the discussion.

Mr Halls, BESL on behalf of the applicant confirmed that BESL took the matter of safety very seriously and produced traffic management plans and briefed all the lorry drivers on the necessary procedures. The most suitable route was considered to be the one presented with the plans. As an alternative, it was suggested that the four week period might be extended in order to reduce the number of lorry movements per day. He confirmed that any damage would be made good on completion of the works. BESL ideally wished to start the works after Easter.

Members considered that the flood protection scheme was acceptable and represented an appropriate design of development associated with flood defence work in this location subject to the imposition of conditions. However, they had some concerns over the proposed designated route for transporting soil during the construction process, particularly relating to Langley Dyke. It was noted that part of the route itself and any alternative route was not within the Broads Authority's jurisdiction. In addition it was confirmed that only Langley Parish Council had been consulted as the bulk of the actual works were within that parish. It was therefore considered that it would be difficult for the Authority to take a decision on the impact of a route outside its own area without consulting those others who might be affected. Members also felt uncomfortable about taking a decision without consulting all relevant parties. Although it was suggested that the works relating to the Langley Dyke part of the application might be deferred, members were advised that it would not be appropriate or possible to deal with the application in a piecemeal way. It was essential that members consider the actual application before them. Although members considered that the application was acceptable in principle, they considered that it should be deferred for consultations with Chedgrave Parish Council and further investigation of the route for the transportation of imported material for the improvement of flood defences at Langley Dyke.

Following further discussion, Mr Rice proposed, seconded by Dr Johnson and it was

RESOLVED unanimously

that the application be deferred for further investigations on the route to be used for clay importation associated with works relating to Langley Dyke and further consultations with affected Parish Councils.

- (2) **BA/2012/0258/FUL White House Farm, Clint Street, Ludham**
Proposed erection of two wean-to-finish pig rearing buildings with ancillary feed bins including re-grading of existing ground levels, construction of hardstandings and vehicular access to Clint Street
Applicant: Mr B Tubby

The Planning Officer explained that the application was for development to facilitate diversification of the farm's business to include a pig rearing business for approximately 1,900 pigs on a wean-to-finish cycle, both to provide long term employment for the applicant and to assist with the farm's future economic viability. The application site covered 1.25ha and the site levels would be dropped by 2.5metres so as the two buildings would be set into the valley with an additional bund with the ridgelines reaching roughly the same height as the roadside hedge. The buildings would also be screened by a substantial planting scheme.

The Planning Officer drew attention to the detailed consultations and reported that since writing the report additional consultations had been received from the local District member who considered that the proposed farm diversification was acceptable but that regular monitoring was required. There had also been lengthy discussions with the concerned local residents, the Environmental Health Officers (EHO)s and the Broads Authority officers.

Following her detailed presentation in assessing the application especially on the main issues of the principle, design, landscape, ecology, archaeology and highways the Planning Officer gave particular attention to that of residential amenity relating to odour and noise, which had caused most concern . There had been lengthy discussions with the concerned local residents, the Environmental Health Officer and the Broads Authority Officers. The applicant had submitted an odour management and noise management plan. The Planning Officer explained that following extensive discussions and research the EHO had concluded that there was a satisfactory level of information provided and an odour assessment would not be required.

Whilst appreciating the concerns expressed, on the basis of the expert advice, the details provided and the satisfactory measures to be put in place as well as the statutory legislation available to deal with the

issues of odour and noise, it was considered that there would be sufficient mitigation measures to overcome these issues. The Planning Officer concluded that the application could be recommended for approval subject to detailed conditions as the proposals were in accordance with National Planning Policy Framework as well as the Authority's policies in the development plan.

Mr Wilson (Environmental Health Officer NNDC) in answer to members' questions provided clarification on his conclusions, confirmed that the powers available were those of statutory nuisance and explained the procedures by which any odour or noise nuisances could be assessed. Similar set ups had been examined. It was considered that given the design of the scheme and the resulting topography there would be some impact but this would not be sufficient to have an adverse effect on the local properties. Most of the odour would be associated with the waste, however, the regular clean out and the farming code of practice should help to reduce the impact. Appropriate management of the site would alleviate or minimise any potential problems.

Mr Flett, the Chairman of Ludham Parish read out a statement on behalf of the Parish Council where the application had been given careful consideration, taking account of the objectors observations particularly vehicle movements, noise odour and effluent seepage. The Parish Council had been assured by the applicant on how the waste and effluent would be managed and was satisfied that these would not be incompatible with any livestock farming practice. They felt that the operation of the unit had been properly and professionally researched. They had considered that it was important to support a local business faced with changed farming practices and its future viability. The 10 councillors present at the meeting had supported the application with a request that vehicle movements be restricted to times other than unsocial hours, that this be monitored this as well as the Parish Council's normal light pollution policy.

Mr Whitaker, resident of one of the properties to the north east of the site in Johnson Street, spoke on behalf of the objectors. He stressed that the objections were not as a matter of principle as it was accepted that diversification of farming practices was necessary. There were genuine concerns about the potential odour and he provided a summary of the history of correspondence with the Planning Officer (details of which were on the Authority's website under public access). In November 2012, the Planning Officer had advised the applicant that a full odour assessment was required before the application could be determined. However, from recent correspondence, the Environmental Health department did not consider that this was necessary. An odour report had been provided by Mr Pope, one of the local residents and this had been circulated to all members. From the report it was indicated that there was a high probability that odour emissions would be in excess of the legal odour limits for the UK. The objectors

recognised that this was not a full Odour Assessment and they were willing to commission a proper Odour Assessment with mathematical modelling at their own expense and as originally required by the Planning Officer in November 2012. The residents would be prepared to accept its findings.

Mr Tubby, the applicant explained that as a small family farm it was necessary to diversify the business in order to sustain a viable economic unit. With the crisis in dairy farming it was necessary to find alternatives and having researched a number of options, the potential for a wean-to-finish pig rearing unit operating in accordance with high modern welfare farming practices was considered appropriate for Whitehouse Farm. The unit would be regularly inspected by the food retailer with which the farm would have a contract. He explained that there would be fewer problems over manure than with the dairy unit, the buildings would not be visible from the road with the comprehensive landscaping scheme and it would generally improve the appearance of the whole farm. With regards to the odour assessment, the main issue was obtaining accurate comparable figures especially for the type of open building and unit proposed. Having discussed this with the EHO, it had been concluded that with the necessary management plans in place, an odour assessment would not be required and they were satisfied that the scheme could proceed. (This was confirmed by Mr Wilson) Mr Tubby commented that he had received comments of support from a number of the local community and was anxious to improve the farm and therefore proceed with the scheme.

Members gave careful consideration to the proposals and recognised the concerns about the potential odour from the unit and therefore the possible impact on residential amenity. However, they were mindful of the advice from the EHO and the legislation in place to monitor and deal with any nuisances that could arise.

In response to a question the EHO advised that were an Odour Impact Assessment (OIA) prepared, this would be based on purely theoretical information as the data held by the EA related to much larger units with mechanical extraction and the two processes were not directly comparable. Any OIA for an open unit would be difficult and would be only a model. He would recommend Best Practice to address odour mitigation.

Consideration was given to deferring the application for an Odour Assessment although a motion to do so was not seconded as in general Members were mindful of the advice given that there was no guarantee that this would provide any further conclusive evidence. Although having sympathy and understanding with the objectors concerns, Members also took into account the balanced deliberations and support of the Parish Council. They considered that the proposed conditions would provide satisfactory safeguards.

In general Members welcomed the application as food production was vital to the nation's economy and the proposal for a sustainable agricultural unit was in accordance with the government's National Planning Policy Framework as well as the Authority's Core Strategy Policies and Development Management Policies particularly Policy DP19.

Mr Mallett proposed, seconded by Dr Johnson and it was

RESOLVED by 9 votes to 0 with one abstention

that the application be approved subject to conditions outlined in the report as the proposed development is considered to be fully in accordance with the National Planning Policy Framework and Development Plan Policies in particular Policies CS1 – Landscape Protection and Enhancement, CS2 – Nature Conservation, CS4 – Creation of new Resources, CS6 – Historic and Cultural Environments, CS7 – Environmental Protection, CS18 – Rural Sustainability and CS22 – Economy of the Broads Core Strategy adopted September 2007 and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP3 Water Quality and Resources, DP4 Design, DP5 Historic Environment, DP11 Access on Land, DP19 Employment Diversification and DP28 Amenity of the Development Management Policies DPD adopted November 2011.

(3) **BA/2013/0023/FUL Land Adjacent To River Bure, Staithe Way Road, Wroxham**

Removal of quay heading and creation of two mooring basins
Applicant: Mr Andy Beardshaw

The Planning Officer explained that the application site was a former boatyard which was substantially redeveloped in the mid 1980's and was comprised of 33 holiday cottages including a bistro, not presently operating. The application involved the removal of quay heading along the main River Bure frontage of the Peninsula cottages site and the digging out of two new mooring cuts to provide 9 additional moorings, although this would depend on the size of the boats. The moorings would be for the occupants of the Peninsula Holiday cottages.

Since the report had been written, two further consultation responses had been received, one from Mr Frankland the owner of the Bistro and the other from the "Peninsula Cottages Owners' Association", copies of the latter having been sent individually to members of the Committee.

Assessing the application the Planning Officer drew attention to and addressed the objections received. He also explained the terms of the Section 106 Agreement signed in 2005 associated with the site and confirmed that there was no requirement to make the moorings secured by the Agreement on the front of the river available to the

general public and, in fact, to implement this part of the Agreement would result in a hazard to navigation. Advice had been taken from the Solicitor who confirmed that it was in the Authority's discretion not to pursue this aspect. He had also consulted with the Senior Waterways and Recreation Officer who had no objections.

In conclusion, the Planning Officer considered that when assessed against Policy DP16 and, having given due regard to the other matters raised in the letter of objection received, there were no material considerations which would justify the refusal of the application. He therefore concluded that the development would have no negative impact on the navigation, there would be no loss of public visitor moorings, there would be sufficient parking capacity, there would be no detrimental impact on the character and landscape of the Broads, the proposal would provide access to an adequate range of facilities, would not prejudice the future or current use of the neighbouring buildings and would have no unacceptable impact on the amenity of adjoining residents. He therefore recommended approval.

Mr Knights, the applicant's agent spoke in support of the application drawing attention to the fact that there were no objections from Wroxham or Hoveton Parish Councils. He referred to the lateness of the comments from the Peninsula Residents Association, a body that he was unaware of until now. He addressed the objections which principally appeared to be on the grounds of loss of amenity including the current grassed area which was to be used for the mooring cut. This area was particularly wet. The proposals would remove the possibility of mooring in a busy navigation channel, would increase the navigation water space, would improve the visual amenity of the site and benefit the economic viability of the site. He disputed the claim that the viability of the holiday cottages would be threatened. He confirmed that the moorings would be for the residents of the Peninsula cottages and their visitors.

Mr Frankland the owner of the Bistro and of three of the cottages, commented that he was in support of the application and requested that the moorings be made available to visitors to the Peninsula site including the Bistro and a 48 hour restriction imposed as per the 106 Agreement mentioned in 6.28 and 6.29 of the report.

Members were mindful of the objections but considered that these had been satisfactorily addressed and the scheme was in accordance with the Authority's development plan policies. A member commented that given the proximity of Wroxham bridge, it would be useful to have an area to demast which the Section 106 for the site would have facilitated. However, the area was only for visitors to the Peninsula site and this fact had not changed. Members concurred with the Officer's assessment and considered that proposal was acceptable

RESOLVED by 9 votes to 0 with one abstention

that the application to approved subject to appropriate conditions as the proposed development is considered to be in accordance with Policies DP2, DP11 and DP16 of the Broads Development Management DPD (2011) and there are not considered to be any material considerations of sufficient weight to justify the refusal of the application.

- (4) **BA/2013/0056/FUL and BA/2013/0057/FUL Hill Farm, The Hill, Limpenhoe**
Retrospective Extension to Existing Calf Rearing Unit and Erection of new livestock unit
Applicant: Mr Paul Dunthorne

The Planning Officer explained that there were two applications in relation to the site, the first being retrospective related to an extension of an agricultural building measuring approximately 30m by 15m cattle building that was permitted in 2012. The extension was situated to the south of the existing building and at the western end of the farm complex. The second application was for the erection of a large agricultural building measuring approximately 60m x 12m and 4.8m to the eaves and 6.9m to the ridge. The need for winter shelter was a requirement of the welfare codes and specifically The Welfare of Farmed Animals Regulations 2000. The Planning Officer pointed out that the planting on the landscape bund, which had been secured from the condition on the previous planning application had not yet become established.

Since the application had been submitted, further consultations had been received from the Highways Authority who had no objections and a further representation objecting on the grounds that the application represented overdevelopment of the site. It was confirmed that there had been extensive consultations with the EHO who was satisfied with the proposals.

The Planning Officer concluded that both applications were acceptable forms of development which would be appropriately screened by an existing bund, agreed by previous proposals, and the existing buildings on site. It was considered that there would be no adverse impact on the SSSI or neighbouring amenity and therefore the recommendation was for approval subject to conditions.

Mrs Russell, a local resident expressed extreme disappointment that the applicant had erected a larger building than that for which planning permission had been granted. She commented that there was very little growth on the bund and advocated additional landscaping including mature trees on the south west side of the complex and hedgerows which would help to provide additional screening to improve the visual

aspect of the site as well as improve biodiversity. Mrs Russell advocated the rejection of the new building.

Members considered that the applications were acceptable but expressed extreme disappointment at the retrospective nature of the application for the extension of the recently approved agricultural building and were unimpressed that the applicant had proceeded to develop the site without seeking permission to amend the original plans. Although expressing frustration, Members were mindful that they needed to consider the application on its merits. They considered whether it would be reasonable to impose an additional condition relating to landscaping for an area which did not form part of the current application. It was considered that it was important that the planting on the bund was established and that this be enforced.

Members requested that a letter be sent to the applicant with the Decision Notices advising him of their disappointment about the retrospective nature of application BA/2013/0056/FUL and the Authority would expect that the new building is constructed in accordance with the plans submitted.

RESOLVED by 6 votes to 1 against with one abstention:

- (i) that the application BA/2013/0056/FUL for the extension to the existing calf rearing unit be approved subject to conditions.

RESOLVED unanimously

- (ii) that the application BA/2013/0057/FUL for the erection of a new livestock unit be approved subject to conditions.

Approval of both applications to be subject to conditions as set out in the report with the strengthening of that concerning the Management plan for the existing landscaping bund and this to be implemented prior to the commencement of the second part of the development.

It is considered that the development is acceptable in respect of Planning Policy and in particular in accordance with National Planning Policy Framework (2012) and Policies CS1 and CS18 of the Core Strategy (2007) and DP1, DP2, DP4, and DP28 of the Development Management Policies DPD (2011).

(5) **BA/2012/0312/FUL Surlingham Ferry House Public House, Surlingham**

Formation of public slipway, formation of boat trailer storage area and repair and replace existing quay heading
Applicant: Miss Sonia Cox

The Planning Officer explained that the application involved the creation of a new public slipway, the siting of a marquee during the

summer months and for use of the overflow car park area as a winter boat store. The marquee and winter boat store elements of the application were retrospective, with boats being stored on the site over the winter period 2012/13 and the marquee being erected during the summer of 2012. He explained that as the site was a sensitive riverside location appropriate steps needed to be taken to ensure that the visual impact of any development was positive and dispersal of pollutants arising from any commercial use was minimised. The Planning Officer addressed the concerns of the Parish Council and explained that the application had been accompanied by a site management plan in relation to the storage of boats, and a landscaping plan.

The Planning Officer considered that the application with its three separate elements was to be welcomed as it would provide a diversification and investment in the site which would provide a valuable community asset and benefit to visitors. He concluded that the application could be approved with conditions concerning time restrictions for the storage of boats during the winter months and the erection of the Marquee between 1 May and 30 September.

Members concurred with the Officer's assessment. It was suggested that the dates for the storage of boats be amended to "between 1 October and 15 April or the date seven days after the Easter Monday Bank Holiday whichever is the later."

RESOLVED unanimously:

that the application be approved subject to conditions as outlined in the report to Committee with an amendment to the dates for the storage of boats over the winter months as above, as the application having been assessed was considered both individually and cumulatively, to satisfy the requirements of Policies DP1, DP2, DP12 and DP19 of the Broads DM DPD.

- (6) **BA/2013/0034/FUL The River House, 10 Skinners Lane, Wroxham**
Resubmission of BA/2012/0171/FUL for the erection of a boathouse
Applicant: Mr and Mrs Purnell

The Planning Officer explained that the application was for the erection of a boatshed to the end of the existing boat dyke associated with a large property in a substantial plot, which was characteristic of the area. The proposal included the excavation of the existing slipway to make space for a wet dock within the proposed boatshed. The Planning Officer reported that since writing the report the application had been amended in order to retain the large attractive Austrian pine to the rear of the boatshed. She referred to the consultations and commented that the Parish Council had maintained its objection on the basis that the scheme was out of keeping with this stretch of the river.

The Planning Officer referred to the previous appeal decision of dismissal for an extended wet dock and boathouse and the differences between that and the current application. The present proposal was reduced in scale and therefore appeared to be more in keeping with the main dwelling whereas the previous proposal had a domestic appearance which appeared to operate as an individual unit separate from the main dwelling. The Historic Environment Manager commented that the present design was simpler with the use of more traditional materials compared to those within the scheme which was dismissed on appeal. Although relatively large in scale, given the position of the boatshed in the manicured garden, it was felt that it now reinforced the character of the Conservation Area. He supported the Planning Officer in the recommendation of approval.

Mr Colman, the neighbouring resident of Bureside, in objecting to the application expressed disappointment that he had not been made aware of all the supporting documentation when he came to view the plans. He considered that the proposed scheme would dominate the view along the river side and therefore have an adverse impact on its apparent undeveloped character. He considered that to preserve a non-native species of tree was inappropriate.

Mr Purnell the applicant wished to point out that the previous plans dismissed on appeal were submitted by the previous owner of the property. The aim of the proposal was to provide a traditional Norfolk boathouse for traditional Broads cruiser and to complement the environment with traditional materials. Given the slope of the land to the river, he hoped that the design would enable the boathouse to sit comfortably within the landscape. He had appreciated the comments from the Authority's officers and had attempted to incorporate these into the design. The width and height had been reduced as much as feasibly possible to house the classic craft and allow clearance as well as take account of the ground conditions. The boathouse would sit 3 – 5 metres back from the river. He had attempted to achieve a quality design which would assimilate into the natural environment and the character of the area.

Members considered the views of the objector carefully. However, they considered that the application was acceptable. Although the boathouse was large, it was considered that it would be built into the riverbank within a more manicured landscape as part of the owner's property within the Conservation Area. It was considered that the traditional design using traditional materials whilst fulfilling a function to house a traditional boat was acceptable.

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report as it is considered to be acceptable in respect of Planning Policy and in particular in accordance with National Planning

Policy Framework and Policies CS1 of the Core Strategy (2007) and DP2, DP4, DP5, DP12, DP13, DP16 and DP28 of the Development Management Policies DPD (2011).

- (7) **BA/2013/0008/FUL The Old Post Office, School Lane, Smallburgh**
Change of use from former post office to residential
Miss Shadow Hall

The Planning Officer explained that the application was for the change of use of the former post office and general store to residential space to be used as an extension to the existing residential accommodation. The applicant had stated that the Post Office/village store was no longer viable due to the changes in the way the Post Office remunerated its operators, changes in shopping habits and patterns, plus the availability of more choice locally in Stalham. The premises had been disused for the last three years and an independent surveyor's assessment of the information provided by the applicant, on behalf of the Authority, had concluded that the property would not be viable as a shop.

Although there had been an objection relating to highways and regret expressed at the loss of a shop, the Highways Authority was satisfied that there would be sufficient off-road parking and there would be a significant improvement in safety due to the limited use of the lay-by adjacent to the shop. The Planning Officer had concluded that although regrettable due to the loss of local services within villages, the proposal to convert was acceptable in accordance with Policy DP27. The application was therefore recommended for approval.

Members concurred with the officer's assessment and

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report as the application is considered to be in accordance with National Planning Policy Framework and policies CS22 of the Core Strategy (2007) and DP11, DP27 and DP28 of the Development Management Policies DPD (2011).

- (8) **BA/2012/0316/CU Shell Petrol Station, Caister Road, Great Yarmouth**
Erection of temporary canopy and storage unit along with change of use from jet car wash to car wash
Applicant: Mr Kiri Mahadevan

The Planning Officer explained that the application was retrospective and was seeking consent for the continuation of use of part of a petrol station site to accommodate a hand car wash business. Although this was acceptable, concerns had been expressed about the impact of the car wash operation on the amenity of the neighbouring occupiers. The

scheme had been amended to restrict noise and overspray from the car wash. In addition, the Environmental Health Officer had suggested that consent be granted on a temporary basis in order to enable monitoring of noise and potential disturbance for a year. On this basis, the Planning Officer recommended approval.

Members concurred with the assessment and

RESOLVED unanimously

that the application be approved for a temporary period of one year to enable the Environmental Health Officer to properly monitor noise and disturbance emanating from the site specifically associated with the permitted car wash use and subject to conditions as outlined within the report as it is considered to represent an acceptable diversification of the existing petrol filling station use.

10/9 BA/2012/0271/FUL Pegasus Boatyard Site, Caldecott Road, Oulton Broad, Lowestoft

Redevelopment to provide 76 dwellings, new boatyard buildings, office, moorings and new access road
Applicant: Badger Builders Ltd.

The Committee received a summary report on the proposals for the redevelopment of Pegasus Marina, Caldecott Road, Oulton Broad. Given that the application was for major development and in view of the considerable interest and policy issues involved it was agreed that a site visit would be appropriate.

RESOLVED

that Members visit the site prior to determination given the major nature of the application, the policy issues involved as well as the concerns expressed. The site visit to take place on Thursday 11 April 2013 starting at 10.00am.

10/10 Enforcement of Planning Control

(1) Unauthorised Mooring Platform Former Drainage Dyke adjacent to Newlands Caravan Site, Geldeston BA/2012/0044/UNAUP3

The Committee received a report concerning the construction of a mooring platform without the benefit of planning permission in a drainage dyke, bordering Newlands caravan Site, Geldeston. The use of the dyke for mooring purposes represented a change of use and there was concern that further development of moorings would occur. The unauthorised development was considered inappropriate and contrary to development plan policy, notably Policy CS1 of the Core Strategy and Policy DP4 of the DMDPD.

RESOLVED unanimously

- (i) that authority be given for the serving of an Enforcement Notice in consultation with the solicitor, for the removal of the platform and restoration of the site, with a period of compliance of three months; and
 - (ii) that in the event of non-compliance, authority be given for prosecution(in consultation with the Solicitor).
- (2) **Freedom Boating Holidays, Ferry View Road, Horning
Unauthorised stationing and use of a number of static caravans
BA/2011/0018/UNAUP4**

The Committee received a report concerning the stationing and use of a number of static caravans without the benefit of planning permission at Freedom Boating Holidays yard, once part of the Woods Boatyard complex, in Horning. These had been used to provide a site office, customer reception, staff welfare room, workshop and stores for the business. Officers had attempted to work with the owners of the business to find a satisfactory negotiated solution to provide more appropriate accommodation for the operation of the business. Members noted that unfortunately no solution had been forthcoming and the business had ceased trading from the site. In addition the site was in an untidy condition with one single building being in a bad state of repair.

RESOLVED unanimously

- (i) that authority be given for the serving of an Enforcement Notice in consultation with the Solicitor requiring the removal of the caravans and the restoration of the site, with a period of compliance of three months;
 - (ii) that in the event of non-compliance, authority be given for prosecution.

10/11 Salhouse Conservation Area Re-Appraisal

The Committee received a report on the detailed re-appraisal work for the Salhouse Conservation Area as part of the Authority's programme for consideration of Conservation Areas included in its Strategic Proposals. As the Salhouse Conservation Area fell partly within the Broads Authority Area and the majority fell within Broadland District Council's area, the appraisal was instigated by Broadland District Council and carried out by them in consultation with the Authority, in accordance with the agreed partnership arrangements. Members noted that Broadland District Council would be organising and funding the public consultation on behalf of both authorities.

Members noted and welcomed the draft appraisal and the draft proposed boundary of the Salhouse Conservation Area at Appendix 1 of the report as

well as the proposals for public consultation. A further report would be submitted to the Committee following consultation for consideration as to whether or not to adopt that part of the area which came within the Authority's executive area.

RESOLVED

that the Draft Salhouse Conservation Area appraisal be endorsed for public consultation.

10/12 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee.

RESOLVED

that the report be noted.

10/13 Appeals to the Secretary of State: Update

The Committee received a table showing the position regarding appeals against the Authority since October 2012 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

10/14 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 15 February 2013 to 19 March 2013.

RESOLVED

that the report be noted.

10/15 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 26 April 2013 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 3.10 pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date: 28 March
2013

Name	Agenda Item/Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	10/8(2) and 10/8(3)	Applications BA2012/0258/FUL and BA/2012/0023/FUL Lobbied
A S Mallett	General 10/3	Minutes Regurgitation of declarations as per previous meeting
	10/8(1)	Member of Navigation Committee – did not participate when discussed.
	10/12(i)	Norwich Frostbite Sailing Club (NFSC)– non pecuniary
P Rice	10/8	Enforcement Update: Ferry Inn, Horning. Involved in mediation.
M Barnard	10/9	BA/2012/0271/FUL Local Councillor Lobbied Hampton Boars former client
R Stevens	10/13	Mr S Mitchell is a friend
C Gould	10/8(1)	Prejudicial interest in route to be taken by lorries to site – live on the proposed route.