

Planning Committee

Minutes of the meeting held on 05 February 2021

Contents

1.	Apologies and welcome	2
	Openness of Local Government Bodies Regulations 2014	2
2.	Declarations of interest	2
3.	Minutes of last meeting	2
4.	Points of information arising from the minutes	2
5.	Matters of urgent business	3
6.	Chair's announcements and introduction to public speaking	3
7.	Requests to defer applications and/or vary agenda order	3
8.	Applications for planning permission and consideration of enforcement matters	3
	(1) BA/2020/0238/FUL: land north of Wood Street, Catfield	3
	(2) Enforcement – Beauchamp Arms - Prosecution	6
9.	Enforcement update	7
10.	Greater Norwich Local Plan Regulation 19 consultation	8
11.	Adopting the Residential Moorings Guide	8
12.	Consultation documents update and proposed response	9
13.	Heritage Asset Review Group – notes of meeting	9
14.	Appeals to the Secretary of State	9
15.	Decisions made by officers under delegated powers	9
16.	Date of next meeting	9
	Appendix 1 – Declaration of interests Planning Committee, 05 February 2021	11

Present

Bruce Keith - in the Chair*, Harry Blathwayt, Stephen Bolt, Bill Dickson, Andree Gee, Gail Harris, Lana Hemsall, Tim Jickells, James Knight, Leslie Mogford (from item 10), Vic Thomson, Melanie Vigo di Gallidoro, Fran Whymark.

*Due to experiencing technical issues involving intrusive background noise, Melanie Vigo di Gallidoro relinquished the Chair to the Vice-Chair for the duration of the meeting.

In attendance

Natalie Beal – Planning Policy Officer, Essie Guds – Governance Officer (Meeting Moderator), Jack Ibbotson – Planning Officer, Sarah Mullarney – Governance Officer (Meeting Moderator), Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning, Marie-Pierre Tighe – Director of Strategic Services, Sara Utting – Governance Officer (minute taker) and Tony Wilkins – Planning Officer (Compliance & Implementation)

Mike Burrell, Greater Norwich Planning Policy Manager attended for item 10 and Steven Bolt of Birketts attended for item 8(2).

Members of the public in attendance who spoke

Daniel Hercock (applicant) for item 8(1) - application BA/2020/0238/FUL - land north of Wood Street, Catfield

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting would be held remotely in accordance with the Coronavirus Regulations 2020 and the Standing Orders for remote meetings agreed by the Broads Authority on 22 May 2020. The meeting would be live streamed and recorded and the Authority retained the copyright. The minutes remained the record of the meeting.

2. Declarations of interest

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

3. Minutes of last meeting

The minutes of the meeting held on 8 January 2021 were approved as a correct record and would be signed by the Chairman.

4. Points of information arising from the minutes

Minute 11 – Neighbourhood Plans

The Head of Planning reported that Gt Yarmouth Borough Council had advised both Rollesby and Filby Parish Councils not to proceed with the consultation stage for their Neighbourhood

Plans on the basis that the current restrictions under Covid19 would affect the public's ability to participate, particularly public meetings. Accordingly, both parish councils had agreed to postpone.

5. Matters of urgent business

There were no items of urgent business

6. Chair'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.

7. Requests to defer applications and/or vary agenda order

No requests to defer or vary the order of the agenda had been received.

8. Applications for planning permission and consideration of enforcement matters

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

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

(1) BA/2020/0238/FUL: land north of Wood Street, Catfield

Habitat restoration works including excavation of 0.45Ha pool

Applicant: RSPB – Mr Daniel Hercock

The Planning Officer (PO) provided a detailed presentation of the application for engineering works directly associated with a proposed scheme of Crassula eradication, involving the excavation of a pond measuring 0.45Ha, dug up to a maximum 60cm in depth but mainly 30-50cm. The PO advised that the comments of the Broads Authority Ecologist had been omitted from section 3 of the report, but had been considered as part of the assessment and he summarised these at the meeting, confirming that they had no objection. Finally, as the applicant had submitted amended details on the landscaping for the burial area, the condition relating to additional details of raised land form needed to be amended to reflect compliance with these details and the officer recommendation was amended accordingly.

In assessing the application, the PO addressed the key issues of the principle of the development, which considered the impact upon the statutorily protected habitat and nature reserve's site features; and the site specific considerations of impacts upon the wider landscape, peat soil and flood risk. He concluded that both the NPPF and Local Plan for the

Broads supported the works in principle as the scheme had the primary objective to restore and create new habitat. The landscape features would not have an adverse landscape impact and the impact of the loss of the peat had been minimised. Furthermore, the landscape feature of the shallow pond was considered to potentially result in biodiversity gain. On balance, the benefits of the scheme in terms of protecting the site's conservation importance far outweighed the impacts of the potential for loss of peat in the form of potential CO2 emissions and the proposal was potentially a temporary process if this resulted in the eradication of the Crassula, with remediation works after a period of 10 years to bring the site into a more natural state. Accordingly, the officer recommendation was to approve, subject to conditions.

A member referred to the statement in paragraph 1.5 of the report about the site being at risk of flooding and questioned what would happen if no action was taken, eg could flooding spread the weed into water systems and rivers; was the proposal to create a pool in an area where the water already existed at high level and what was the prospect of the earthworks subsiding anyhow. The PO responded that, in terms of flooding, the sites were interconnected with drainage channels and linked to the river network at times of flooding. This was of concern to both the applicant and the Environment Agency as it meant there was potential for the Crassula to spread and this proposal was to eradicate it completely to prevent the risk of further spread. The area in which the pool would be located was currently covered by water at times of high water level and vegetation around the pool would be similar to what was there currently. Regarding succession of planting, this was a natural process of fenland areas so impact would be minimised.

Mr Hercock, the applicant, provided a statement in support of the application, explaining that the risk of Crassula to the rest of the site was pretty significant as it was a very invasive weed. The RSPB had purchased the site in 2013 and had done what they could to keep the weed in check including spraying but it kept coming back. The best option was to eradicate it completely. The effects of deer traipsing through the site meant it regenerated via the deers' hooves spreading all over the site as well as via birds' feet etc as only a very small particle of Crassula was needed to spread it. There were nesting Cranes in the area and they foraged in that area so it was important to stamp out all possible routes of spreading Crassula. A solution was needed to stamp out any possible route of spread and this would be via burying under peat and compacting it. The pond area would stay wet for significant parts of the year, excluding the summer, so would be a feature, as well as providing a habitat for rare plants and food for insects, caterpillars, butterflies etc. Over a period of about 20 years, the area would revert to a fen habitat, fill in with peat and reform. The fen would be re-lowered over time and allowed to succeed, providing an environment for rare snails to colonise there and also attract bitterns and other birds, dragonflies, water voles etc. The pond would be a lovely addition to the area. The peat would dry out somewhat over time but would generally remain wet as it would be sitting in water a lot of the time, with the CO2 release not being as significant as it would if left on uplands to dry out. The peat would reduce by a third over three years, by which time hopefully the Crassula would be eradicated. Trials where Crassula had been covered but had not been successful were where it had been uncovered too early.

In response to a member's question on whether this technique had been trialled elsewhere and proven successful, Mr Hercock stated that they had reviewed a lot of literature on Crassula eradication. Burying/covering had been trialled in the New Forest in particular, with some lesser trials elsewhere in the Broads area, at Halvergate, where Crassula had been buried in the ditch and this seemed to be working. Most conclusions were that spraying with Roundup was the most effective but only up to 90% and within a year, the Crassula grew back in the original area it had colonised. By burying it as well, this prevented photosynthesis and stopped it growing – use Roundup first, then bury it and not disturb it too early.

In response to questions on whether there were any unintended effects of using Glyphosate, which had experienced a bad press lately; had the trials of using hot foam in the New Forest worked and finally had the use of black plastic sheets been considered (although not necessarily practical in this case), Mr Hercock commented that using any chemicals was not ideal but there were suitable variations for aquatic systems (Roundup GEL) which did degrade very quickly in aquatic systems so this was the least harmful variety they could use. He added that Crassula created an almost 100% mat across the surface which prevented other plants from growing. Other plants would be affected by spraying but not underwater as the spray would be done via dry air conditions, not underwater, via three applications and hopefully with minimum impact to other plants. The use of hot foam had been considered but due to the nature of the site, with other plants growing in the adjoining areas, it was not 100% guaranteed to get in deer tracks, peat crevices etc. Conservation evidence showed that the use of hot foam at places like the New Forest was only 20% effective at killing Crassula so was not as good as Roundup. In addition, Natural England were not keen on the use of plastics and the RSPB had consulted other experts and the manufacturers said working with the plastic was very tricky when you were trying to avoid contamination via machinery, the workers etc. Placing peat on top to bury the plastic as well created folds and air pockets where the Crassula could survive. Peat compression would solve that.

Lana Hempsall proposed, seconded by Andree Gee, to approve the application, subject to conditions.

A member expressed his support for the proposal and questioned if it would be a standard condition to preserve the peat to keep it wet; if the process would need to be repeated in the future and would it be optimistic to think this would kill the Crassula once and for all and finally, would the low level use of Glyphosate be able to control it in the future rather than having to dig out another pond and peat burial.

Mr Hercock responded that there were no guarantees and monitoring would occur once a month for the next five years at least and probably beyond. Glyphosate would need to be used if strands started to peep out, advising that chemicals were effective up to a point, particularly in small areas. Biological control methods were being developed, such as a weevil from New Zealand that has Crassula as a food plant, and this would be a possibility in another 5-10 years' time.

Another member expressed his support for the application, stating that the applicant was being realistic and nothing was guaranteed, with the benefits far outweighing the impact of the loss of peat.

It was resolved unanimously

to approve the application subject to the conditions outlined within the report (as amended).

(2) Enforcement – Beauchamp Arms - Prosecution

The Head of Planning (HoP) introduced her report seeking authority to commence prosecution proceedings in respect of the non-compliance with a Planning Contravention Notice (PCN) relating to the Beauchamp Arms. The HoP also provided a detailed presentation, including photographs of the site.

It was noted the issues had first arisen in 2018 when officers became aware that a number of static caravans had been installed on land adjacent to the driveway at the Beauchamp Arms, as detailed in the report. Officers had continued to monitor the site and PCNs were served in March 2019, following which it had been established that the three caravans were not in use. However, a fourth caravan was installed on the site in September 2019. In response to complaints about works at the site, officers visited in October 2020 and found three static caravans located to the rear of the site with a close boarded fence around them, effectively creating a compound. Furthermore, the caravans appeared to be connected to main services, ie electricity, water and bottled gas and two appeared to be occupied. The landowner had advised officers that the caravans were being used by workers at the pub and the intention was to use them as additional accommodation in order to support the viability of the pub. On 13 November 2020, a PCN was served, asking for information on matters including the ownership of the caravans, when and why they had been moved, the services attached and their use, with a deadline for return of 4 December 2020. Following comments by the landowner, including questioning the legality of the PCN, the deadline for response was extended to 4 January 2021. As no response was received, a final letter giving a further seven days was sent on 7 January 2021. A response was finally received on 11 January, attaching a copy of the PCN but with incomplete responses and the landowner was afforded another opportunity to complete, with a deadline of 15 January 2021. A further response was received on 13 January but did not include the requested information and there had been no further correspondence to date.

A member commented that he understood caravans to have been on site for some time, possibly 15 years according to landowner, and questioned if they had left the site completely or just been moved around the site. He suspected the whole pub to be the planning unit and if the caravans had been moved around the site but been present for 15 years, the authority probably had no enforcement rights over the caravans. The HoP confirmed that the caravans had been moved off the site in 2016 so there had been a period where there were no caravans on site. The member responded that he was in favour of the authority taking action and was confident that the landowner shouldn't be doing what he was doing but questioned what the end result would be and what the authority wanted to achieve on this site and how

to manage a difficult situation. The solicitor advised that expediency was key and once all the information had been received on the PCN and it had been properly responded to, members could be updated accordingly.

Another member questioned if it had been made clear when the PCN had been served that the authority was trying to engage constructively with the landowner and move forward and whether the process became more officious from this stage forward. The HoP responded that the first actions would be to engage a solicitor and prepare a Summons for prosecution for failing to respond to the PCN. That action sometimes prompted a response. The Authority would write to the landowner, advising them a solicitor had been engaged and what would happen next. If they came back with full and comprehensive information, then clearly this would be considered.

In assessing what action to take, members took into consideration the purpose of a PCN and the importance of complete and accurate information in the investigation of planning breaches, together with the penalties for failing to respond or knowingly providing false or misleading information. Members acknowledged the number of attempts made to obtain the required information from the landowner, including extended deadlines and concluded it was apparent that he did not intend to respond. Therefore, instigating prosecution proceedings would be an appropriate way forward.

Bill Dickson proposed, seconded by Andree Gee, and

It was resolved unanimously to authorise the commencement of prosecution proceedings in respect of non-compliance with a Planning Contravention Notice.

9. Enforcement update

Members received an update report from the Planning Officer (Compliance and Implementation) on enforcement matters previously referred to the Committee. Further updates were provided for:

former Marina Keys, Gt Yarmouth: site had been sold in October 2020 which had resulted in work being held up on the completion of discharge of conditions on a related application but it was now nearly all completed. The site would be cleared in the next week or two.

land at the Beauchamp Arms PH: see item 8(2)

Blackgate Farm, High Mill Road, Cobholm: the hearing scheduled for 9 February had been cancelled and rescheduled by the Planning Inspectorate to 20 July 2021.

land east of North End, Haddiscoe: Enforcement Notice served 12 January, taking effect from 12 February with compliance date for completion of works as 12 May 2021

Brograve Marshes, Waxham: Enforcement Notice served 29 January, taking effect from 3 March with a compliance date of 31 August 2021.

The Committee adjourned at 11.34am and reconvened at 11.45am when Vic Thomson was no longer present.

10. Greater Norwich Local Plan Regulation 19 consultation

The Committee received a presentation by Mike Burrell, Greater Norwich Planning Policy Manager on the Greater Norwich Local Plan Regulation 19 consultation. This was the stage where representations on the soundness and legal compliance of the GNLP Strategy and Sites Documents and evidence could be made. Consultation would run from 1 February to 15 March 2021. The GNLP would replace the Joint Core Strategy and many site allocations on adoption.

Leslie Mogford joined the meeting at 11.55am.

The Chair thanked Mr Burrell for his comprehensive presentation, noting the ambitious plans.

A member referred to the growth of tourism, particularly key for the Broads area, and the importance of reducing the overall carbon footprint, particularly cars, and questioned if the plan included improvements to transport infrastructure. Mr Burrell responded that local planning authorities did not provide key improvements but reflected them, referring to the Railways Plans and Norfolk Local Transport Plans, which Norfolk County Council was working on in parallel with sustainable transport methods in and around Norwich and market towns.

A member referred to the visitor pressure levy and questioned if this would be charged against houseboats. Mr Burrell responded that he did not believe so but the details had yet to be established. The Strategy would identify the need for that based on evidence county wide.

Gail Harris left the meeting at this point.

Members noted the offer by Mr Burrell to provide an update with another presentation, the most appropriate stage being following the Inspector's questions and before the Examination, likely to be towards the end of the year.

11. Adopting the Residential Moorings Guide

The Planning Policy Officer (PPO) introduced the report, which proposed a final draft of the Residential Moorings Guide for recommendation to the Broads Authority for adoption.

A member thanked officers for all their hard work in preparing the Guide, considering it a very important move forward and would regularise houseboat living. However, he considered that the Guide could go a lot further. Purpose-built houseboats could be very elegant structures and could enable places in the Broads to be capitalised with houseboats located away from the main areas of navigation and would help with finding accommodation for people in need. He felt that riverside communities could be an attractive feature, citing Seattle as a good example as well as Amsterdam which attracted tourists to those areas and the Authority could even use redundant land to encourage new innovative design for purpose built houseboats and office spaces.

Another member endorsed these comments, commenting that there had been some disparagement about houseboats in the past and that there was very little positive mention in

the Authority's planning policies. He agreed that they could be extremely attractive and meet a demand. Furthermore, floating accommodation would be a sensible way of building houses and other structures in areas prone to flooding. He concluded that he would like to see the Authority undertake a piece of work on encouraging the principle of living and working afloat.

Tim Jickells proposed, seconded by Leslie Mogford, and

It was resolved unanimously to endorse the final draft Residential Moorings Guide and recommend it to the Broads Authority for adoption.

12. Consultation documents update and proposed response

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to consultations by East Suffolk Council on its Draft Historic Environment Supplementary Planning Document and Suffolk County Council on its Suffolk Design Guide for Streets.

Melanie Vigo di Gallidoro proposed, seconded by Bill Dickson, and

It was resolved unanimously to note the report and endorse the proposed responses.

13. Heritage Asset Review Group – notes of meeting

The Committee received the notes of the Heritage Asset Review Group meeting held on 18 December 2020.

The report was noted.

14. Appeals to the Secretary of State

The Committee received the latest schedule of appeals to the Secretary of State since January 2020. The Senior Planning Officer advised that, as reported in item 9, the hearing date for Black Gate Farm had been rescheduled as the Planning Inspector wanted to undertake an accompanied site visit. In addition, the hearing for Barn Mead Cottages had been postponed due to the personal circumstances of the appellant and this would now take place on 27 April 2021. Finally, a decision was awaited for Gunton Lodge.

The report was noted.

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 14 December 2020 to 22 January 2021 and Tree Preservation Orders confirmed within this period.

The report was noted.

16. Date of next meeting

The next meeting of the Planning Committee would be on Friday 5 March 2021 at 10.00am.

The meeting ended at 12:35pm

Signed by

Chairman

Appendix 1 – Declaration of interests Planning Committee, 05 February 2021

Member	Agenda/minute	Nature of interest
Gail Harris and Lana Hemsall	10	Local authority appointees to the Greater Norwich Development Partnership
James Knight	11	Director of a company involved in waterside development
Vic Thomson	8.2	Within his Division but had not had any involvement in the matter.