

Planning Committee

AGENDA

Friday 25 May 2018

10.00am

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|---|--------|
| 1. To receive apologies for absence and introductions | |
| 2. To receive declarations of interest | |
| 3. To receive and confirm the minutes of the previous meeting held on 27 April 2018 (herewith) | 3 – 16 |
| 4. Points of information arising from the minutes | |
| 5. To note whether any items have been proposed as matters of urgent business | |

MATTERS FOR DECISION

6. **Chairman's Announcements and Introduction to Public Speaking**
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
7. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
- 1) BA/2018/0012/CU Building adjacent to Barn Mead Cottages, Church Loke, Coltishall

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2) BA/2018/0025/COND and BA/2018/0026/COND The Old Maltings, 14 Anchor Street, Coltishall	29 – 41
3) BA/2018/0112/CU The Croft, Romany Road, Lowestoft	42 – 52
9. Enforcement Update Report by Head of Planning(herewith)	53 – 56
10. Consultation Documents Update and Proposed Responses: <ul style="list-style-type: none"> • <i>Waveney District Council Pre-submission Local Plan</i> • <i>South Norfolk Council Draft Open Space SPD</i> Report by Planning Policy Officer (herewith)	57 – 62

MATTERS FOR INFORMATION

11. Appeals to the Secretary of State Update Head of Planning to report.	
12. Decisions made by Officers under Delegated Powers Report by Head of Planning (herewith)	63 – 65
13. To note the date of the next meeting – Friday 22 June 2018 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY	

Broads Authority
Planning Committee

Minutes of the meeting held on 27 April 2018

Present:

Prof J Burgess
Mr W Dickson
Mr B Keith

Mr H Thirtle
Mrs Melanie Vigo di Gallidoro

In Attendance:

Ms N Beal – Planning Policy Officer (Minutes 10/12 – 10/15)
Mrs S A Beckett – Administrative Officer (Governance)
Mr S Bell – for the Solicitor
Ms A Cornish – Planning Officer (Minute 10/9(1))
Mr T Carter – Planning Technical Support Officer
Ms K Judson – Planning Officer (Compliance and Implementation)
(Minute 10/9(2))
Mr G Papworth – Planning Officer (Minute 10/9(3))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

BA/2018/0424/FUL Land at Ludham Bridge, Ludham

Mr Anthony Lumbard Applicant

10/1 Appointment of Interim Chairman and Vice-Chairman until July 2018

The Director of Strategic Services asked for nominations for the Chairman of the Committee until July 2018 in light of the departure of Sir Peter Dixon.

Jacquie Burgess proposed, the nomination of Melanie Vigo di Gallidoro as interim Chairman. This was seconded by Haydn Thirtle. There being no other nominations, it was

RESOLVED

that Melanie Vigo di Gallidoro be appointed as Chairman of the Planning Committee until July 2018.

Melanie Vigo di Gallidoro – in the Chair

(Mr Paul Rice remains as Vice-Chairman until July 2018.)

10/2 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting.

Apologies had been received from Mr M Barnard, Ms G Harris, Mrs L Hemsall, Mr P Rice and Mr V Thomson.

10/3 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 declaration on behalf of all Members concerning BA/2018/0091/ADV as the application was a Broads Authority application.

The Head of Planning introduced the new Planning Technical Support Officer, Mr Tom Carter. Tom explained that he had been with the planning team for two weeks having previously been working in Tolls. Members expressed a welcome.

10/4 Minutes: 23 March 2018

The minutes of the meeting held on 23 March 2018 were agreed as a correct record and signed by the Chairman.

10/5 Points of Information Arising from the Minutes

There were no points of information arising from the minutes other than those that would be referred to in the agenda.

10/6 To note whether any items have been proposed as matters of urgent business

No items of urgent business had been proposed.

10/7 Chairman's Announcements and Introduction to Public Speaking

(1) The Openness of Local Government Bodies Regulations

The Chairman 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 Chairman stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee.

10/8 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer consideration of any applications had been received. The Chairman commented that she did not intend to vary the order of the agenda.

10/9 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (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/2018/0053/HOUSEH Wayford Mill, Wayford Bridge, Wayford Road, Smallburgh** Maintenance building and workshop with storage of plant
Applicant: Mr Mark Rogers

The Planning Officer reminded the Committee that following the full presentation and assessment at the previous meeting, Members had deferred the decision for further information and clarification on the functionality and measurements of the proposed building especially in relation to the equipment to be stored. The Planning Officer addressed each of the Committee's concerns in turn.

The applicant had confirmed that the proposed timber framed building was required for storage and workshop space associated with the ongoing upkeep and maintenance of the restored mill. He had confirmed that the maximum height of the building would be sufficient to house his equipment as well as provide the mezzanine floor and sufficient headroom to enable this to be used as a workshop. The clearance height of 2.1 metres of the doorway would be adequate as the cage for the JCB telehandler and cherry picker would be removed which would reduce the height to less than 2.1 metres. Therefore the elevations were correct and need not be amended. The applicant had also confirmed that the proposed building would be large enough to meet his current as well as future needs and there would not be a need for a future application. He had also provided photomontages and drawings to give an idea of the proposed building in the context of the existing building and the landscape. In addition, Officers had consulted the IDB as a matter of courtesy, given that the development was to be sited on a culvert and there were no objections.

In conclusion the Planning Officer considered that the concerns raised by Members had all been satisfactorily addressed and the appropriate assessment made. The development was considered to be in accordance with the relevant Development Plan Policies including the Environment Agency guidelines and the NPPF and therefore the application was recommended for approval subject to conditions.

Members considered that the principle of a storage building was acceptable. They were assured that the building was not capable of being converted to holiday accommodation and there was a genuine need to house the expensive equipment required for the applicant's purposes. They were also assured that there would be no obstruction of access to the field behind. In considering the conditions they were mindful of the need for these to pass the six tests.

Members considered that such facilities for the renovation and improvement of windmills was to be supported. This was a modest building and would help to tidy up the site and it was therefore appropriate.

Jacquie Burgess proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. This proposal is considered to be in accordance with Policies CS1 Landscape Protection and Enhancement, CS4 Creation of New Resources and CS20 Rural Sustainability of the Core Strategy and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP4 Design, DP28 Amenity and DP29 Development on Sites with a High Probability of Flooding together with the NPPF.

- (2) **BA/2017/0424/FUL Land at Ludham Bridge, Ludham**
Retrospective application for retention of hardstanding, shed, office and shipping container for two years.
Applicant: Mr Anthony Lombard

The Planning Officer provided a detailed presentation and assessment of the retrospective application for the retention of hardstanding (currently used for car parking and originally a temporary site compound), a shed, an office and shipping container for a temporary period of two years. Temporary planning permission had been granted on the site for a site compound for the duration of the flood defence works undertaken by BESL (A/2009/0202/FUL) which had since been carried out between 2010 and 2015. The lease on the land to BESL from the landowner had expired and BESL had confirmed that the responsibility for it had returned to the landowner, they were not currently using the site but had an informal arrangement with the landowner for occasional short term use for maintenance work on the floodbank. The landowner claimed that the site was still being used

and that the works were not completed. The permission being sought was for the structures which had not been removed from the site and had been the subject of enforcement negotiations.

The Planning Officer confirmed that a planning application had been submitted for the development and validated on 23 March 2018 (not 23 April as stated in the report) and provided a full assessment of the actual application.

Since the writing of the report further consultations had been received from:

- Highways Authority – no objection subject to conditions restricting the use to 2 years only and maintenance to the existing access (The comments were read out in full)
- Environment Agency – issue a holding objection due to insufficient information being submitted regarding the breach in the defences and flood response plan and mitigation measures concerning access to the site. The Environment Agency has confirmed that the site is within Flood Risk Zone 3a and that all the uses on the site, including the car park, workshop, office and storage, should be considered as a 'Less Vulnerable' use. Therefore to be considered acceptable in Flood Risk Terms the Environment Agency has advised that the Local Planning Authority should be satisfied that the proposal passes the Sequential Test.
- Broads Authority Landscape Architect - objects as the development has an adverse impact on the Broads landscape.
- Broads Authority Ecologist - Objects as the proposal would have an adverse impact on ecology and there would be loss of Section 41 bat habitat which was not supported by policy.

The Planning Officer provided an illustration of the extent of the flood defence compartment 3 and explained that it could be safely assumed that there were other areas by which BESL could gain access to the floodbank as with other compartments without site compounds. She commented that there had been overtopping of the river banks in the Ludham bridge area recently but these did not relate to the flood defence works approved by the 2009 permission, completed in 2015. The use of the site by the Environment Agency's contractors was on an opportunist basis and was not fundamental to the works in the area.

The Planning Officer referred to the comments received from the Environment Agency since the report had been and therefore she provided a full explanation of the need for the proposal to be acceptable in flood risk terms to take account of the Environment Agency's advice that the proposal should pass the Sequential Test:

The Planning Officer advised that the use of the site as a hardstanding for a carpark, and structures used as a workshop, office and storage were considered to be 'less vulnerable' uses, within Flood Risk Zone 3a and would therefore be considered acceptable in principle subject to

there being no reasonable alternative sites within the lower Flood Risk Zones. However, no information had been submitted which assessed the availability of alternative sites within a Lower Flood Risk Zone. As a consequence it was unclear whether the development could be located within a Lower Flood Risk Zone and it was therefore considered that the Sequential Test has not been passed.

The Planning Officer further advised that, should this information have been submitted and it had been found that the development could not be located within a Zone of Lower Flood Risk, the Exceptions Test would then need to be passed. For the Exceptions Test to be passed the applicant would need to demonstrate that the development offered wider sustainability benefits to the community that outweighed the impact on flood risk. No such benefits had been presented and given the absence of justification for the continued use of the site it was considered unlikely that the Exceptions Test could be met. The Planning Officer concluded that, it was considered that there was not enough information submitted in order to satisfy the Environment Agency or the Local Planning Authority that the proposed development was acceptable in flood risk terms. The development was therefore considered contrary to the National Planning Policy Framework and Policy DP29 of the Development Management Policies

The Planning Officer concluded that the site was within open countryside, away from any development boundary and in an area where a commercial or domestic use would not normally be permitted. There were no additional benefits, or other material planning considerations, to justify a departure from policy and an approval of planning permission. The development was therefore considered unacceptable in principle, even on a temporary basis. The retention of the works compound and buildings was considered to have a detrimental impact on the landscape. It was also considered that there was insufficient information submitted to determine whether the proposal was acceptable in flood risk terms.

The Planning Officer outlined that, in addition to the reasons highlighted at point 7 of the report, the retention of the works compound and buildings was considered to have a detrimental impact on ecology through the loss of Section 41/BAP priority habitat without justification to do so, contrary to Policy DP1 of the Development Management Policies DPD. The proposal was therefore considered contrary to Policies CS1 of the Core Strategy and Policies DP1, DP2 and DP29 of the Development Management Policies DPD and the National Planning Policy Framework. The application was therefore recommended for refusal and if accepted by the Committee required consideration of the planning breaches and potential enforcement action.

Mr Lumbard was given the opportunity to address the Committee in support of the proposals. He explained that he was the fifth generation occupant and custodian of the adjacent cottage and his garden and

property had been recently subject to flooding due to overtopping. He therefore maintained that the flood defence works had not been completed satisfactorily. The Environment Agency had recently imported more material to protect his property. The shed on the compound site was used solely by the carpenter working on his property since it would not have been viable to have this in his garden due to the saturated ground conditions. The office was also used in association with his dwelling. He had had meetings with the local MP, Mr Norman Lamb and officers from the Environment Agency, the Chairman of the IDB and representatives from adjacent businesses to discuss the issue of overtopping. The hard standing was required to continue to carry out the necessary remedial works and complete the flood defence works satisfactorily. He was requesting a period of two years as this was the stated time needed to carry out works on his property to maintain its integrity. He therefore urged members to consider his situation favourably.

Members were very sympathetic to Mr Lumbard's plight relating to the flooding issues and appreciated his arguments being put forward. However, they emphasised that the Authority was a planning authority and therefore the Committee had to consider the planning issues and the legalities in that regard. They noted that BESL had handed back the lease of the land and therefore the responsibility for it reverted to the landowner in 2015 and the condition of the land should have been restored following that to fulfil the conditions of the permission. The Environment Agency had not submitted an application for the continued use of the hardstanding on the site.

Members concurred with the officer's assessment.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

that the application be refused on the grounds that it is contrary to the National Planning Policy Framework and Policies CS1 of the Core Strategy and Policies DP1, DP2 and DP29 of the DMDPD of the development plan for the detailed reasons set out above and in the report.

As a consequence of the decision to refuse, members considered that enforcement action would be expedient due to the impact of the development on the local landscape and biodiversity value of the area.

Bill Dickson proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that officers are authorised to take enforcement action against the breaches of planning and serve an Enforcement Notice requiring the

removal of the all the unauthorised uses on site, the unauthorised hardstanding and removal of all the unauthorised structures including the fence surrounding the site, the shed, portacabin and shipping container and restoration of the land in accordance with condition 7 of planning permission BA/2009/0202/FUL with a compliance period of 3 months.

- (3) **BA/2018/0091/ADV Whitlingham Country Park, Whitlingham Lane, Trowse** Erection of 5 Signs
Applicant: Broads Authority

The Planning Officer provided a presentation on the application for the replacement of four directional signs, the removal of two signs installed along Whitlingham Lane resulting in a total of five new directional signs along the Lane in association with the operation of Whitlingham Country Park. It was noted that the display of advertisements was subject to a separate consent within the planning system. They were controlled with reference to their effect on amenity and public safety only. These were set out in Town and Country Planning (Control of Advertisements) (England) Regulations 2007 and the standard conditions were within Schedule 2.

In conclusion the Planning Officer considered that the signs would not result in any adverse visual impact on the character of the built environment in the area and were considered to be acceptable in terms of Policy DP10 of the Development Management Document and NPPF. He therefore recommended the application for approval subject to conditions.

Members were fully supportive of the proposed signs considering that they would improve the information and directions to the facilities within the Country Park and also made reference to the Broads National Park in accordance with the branding strategy. They recognised that a considerable amount of work had been given to the design, materials and siting of the proposed signs and this was to be welcomed.

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 as the proposal is considered to be in accordance with Policy DP10 of the adopted Development Management Policies DPD (2011).

10/10 Enforcement Update

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

- (i) **Burghwood Barnes** – Officers were continually monitoring the site. Unfortunately due to the adverse weather conditions over the last few

months it had not been possible for the landowners to comply with the enforcement by the time required. However, having visited the site recently, the plants and grass seed were on site in preparation of the required works, illustrating the landowners' clear intention to comply. Officers would be visiting the site within the next two weeks.

- (ii) With reference to the non-compliance with a planning condition at **Barnes Brinkcraft**, officers had informed the landowners of the options considered by the Navigation Committee and informed them of the Committee's preference. The landowners had rejected this and put forward a counter proposal that officers were unable to support. Officers were now awaiting further information from the landowners on whether they would be prepared to reconsider the scheme the Navigation Committee was prepared to support. Officers had advised the landowners that unfortunately if they were not prepared to accept the advice given, the Authority would be required to consider the breaches and any encroachment into navigation which would require a considerable amount of work for both parties to no great effect. The landowners were required to comply in any event. This could be done through the planning process or through the use of navigation byelaws. However, the most effective way of achieving a solution would be for the landowners to accept the advice of the Navigation Committee and submit an appropriate planning application. Rangers were monitoring the situation regularly to ensure that the navigation channel was not being encroached and the situation was being managed proactively.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

10/11 Former Waterside Rooms, Hoveton: Action for consideration

The Committee received a report providing information on the condition of the former Waterside Rooms in Hoveton that had fallen into disrepair and been boarded up for 20 years. The site was the subject of regular complaints to the Authority about the appearance of the building and the impact on the amenity of the area. The site had recently changed ownership and although the owners had indicated that they were committed to bringing a new scheme forward, this had not yet happened and the site was continuing to deteriorate.

North Norfolk District Council and the Authority were concerned about the impact on the visual amenity of the street and the river and considered that action needed to be taken given its prominence. A Section 215 Notice (Untidy site) could be used although this on its own was considered not to be a comprehensive enough approach to tidy up the whole site. The use of a Compulsory Purchase Order would enable a more comprehensive approach to be taken and increase the probability of a more beneficial redevelopment of the site.

The Authority itself did not have the necessary compulsory purchase powers and this would need to be instigated by North Norfolk District Council, who was prepared to take the action and bear the costs and therefore was seeking the Authority's support to do so. The Council had previously used these powers within the area to potential beneficial effect.

The Solicitor commented that the use of compulsory purchase powers was seen as a last resort and therefore suggested that if asked by North Norfolk District Council the Broads Authority could serve a Section 215 Notice as a precursor to assist the compulsory purchase order process. It could assist in reducing the final compensation payable. The Head of Planning therefore requested that members consider an amendment to the recommendation in the report to take this into account.

Members welcomed the opportunity to work in association with North Norfolk District Council and supported the officer's amended recommendation for the issuing of a Section 215 Notice if considered necessary.

Haydn Thirtle proposed, seconded by Jacquie Burgess and it was

RESOLVED

- (i) that North Norfolk District Council be advised of the Broads Authority's support in instigating compulsory purchase of the former Waterside Rooms in Hoveton if required;
- (ii) that if necessary, authority be given to Officers to serve a Section 215 Notice.

10/12 Consultation on the National Planning Policy Framework (NPPF)

The Committee received a report on the consultation document for the revised National Planning Policy. It advised members of the content of the draft revised NPPF, identified the proposed changes to the planning regime and provided a proposed response.

It was noted that the objectives had been extended, there was a clearer division between strategic and non-strategic plans, requirement to prepare and maintain Statement of Common Ground with major stakeholders to promote cooperation. There was a greater emphasis on some matters such as design, small sites, supply of housing, build-out rates and need to address constraints for housing, to provide for a range of types of homes and there were new chapters relating to housing delivery and highway safety. In addition, health and affordable housing was also included.

The Planning Policy Officer drew attention to those areas most relevant to the needs of the Broads Local Plan and also referred to the consultation documents accompanying the NPPF as at Minute 10/13, and particularly the response requiring the need for consistency.

Although the revisions to the document were extensive, there were no changes proposed which would have a significant adverse impact on the Broads Authority as the LPA. Members considered that the format was much clearer. Clarification was required on the transition arrangements for the Local Plan and once adopted its status in relation to the revised NPPF.

It was also noted that there could be further changes to permitted development rights and if the Broads Authority was not included as an exemption, Article 4 Directions might be required.

Members considered the proposed response and were very supportive.

RESOLVED

that the contents of the report be noted and the comments outlined in Sections 3-5 of the report including the responses set out in Appendix 1 be endorsed for submission to the MHCLG as the Authority's formal response.

10/13 Consultation Documents Accompanying National Planning Policy Framework and Proposed Responses.

The Committee received a report on the consultation documents accompanying the NPPF relating to the following:

- *Supporting Housing Delivery through developer contributions*
- *Planning Practice Guidance for Viability*
- *Housing Delivery Test measurement and Rule Book*
- *Draft Planning Practice Guidance*

One of the main points to draw attention to was the omission of "the Broads and the Broads Authority" when reference was made to the National Parks, despite this already being included in other legislation and having been mentioned to government in other consultation documents. The response highlighted the need for consistency.

RESOLVED

that the report be noted and the nature of the proposed responses be endorsed for forwarding to the CLG.

10/14 Consultation Documents Update and Proposed Responses: Suffolk County Council: Parking Management Strategy Great Yarmouth Borough Council: Housing Strategy

The Committee received a report on the latest consultation documents from Suffolk County Council relating to its Parking Management Strategy and Great Yarmouth Borough's Housing Strategy. This set out the Authority's proposed response. It was noted the Authority had requested an extension to the consultation periods for both documents by up to 4 days.

RESOLVED

that the consultation documents are noted and the proposed responses are endorsed for submission to Suffolk County Council and Great Yarmouth Borough Council respectively.

10/15 Waveney District Council – Statement of Common Ground

The Committee received a report introducing a second Statement of Common Ground with Waveney District Council, primarily produced to support the Waveney Local Plan. The first statement had been submitted to the Planning Committee on 2 March, was signed by the Vice-chairman and forms part of the Duty to Cooperate Statement to support the Broads Local Plan. This report has been produced to mainly support the Waveney Local Plan and covered Waveney District Council's own Housing Market Area and Functional Economic Area, with Objectively Assessed needs along with the part of the Broads within the District.

RESOLVED

that the Statement of Common Ground with Waveney District Council (second statement) be approved and this be signed by the Chairman of the Planning Committee on the Authority's behalf.

10/16 Heritage Asset Review Group: 23 March 2018

The Committee received the notes from the meeting of the Heritage Asset Review Group held on Friday 23 March 2018. It had been agreed that in light of the work load generated by the Water Mills and Marshes Project, it would be appropriate to reduce the number of meetings per year. In particular Members noted that work was commencing on the two remaining Conservation Area Re-Appraisals for Horning and Ludham.

RESOLVED

that the report be noted.

10/17 Appeals to Secretary of State Update and Annual Review

The Committee received a report on the Appeals against the Authority and an annual review of the decisions made by the Secretary of State between 1 April 2017 to 31 March 2018. It was pleasing to note that there were currently no appeals to the Secretary of State against the Authority's decisions. Since the previous year and the review of the way in which the Inspectorate had been dealing with appeals, particularly considering whether there was an

issue of "harm", the Authority had been taking a more pragmatic approach and there had been fewer refusals.

RESOLVED

that the report be noted.

10/18 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 12 March 2018 to 10 April 2018. It was noted that there were now fewer applications that had been dealt with under delegated powers that had come through the condition monitoring process.

RESOLVED

that the report be noted.

10/19 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 31 March 2018. It was noted that the Authority's performance was continuing to exceed the government targets. It was considered that part of the success could be attributed to the Authority's approach in providing pre-application advice for which it did not charge. In relation to the Government's league tables for Local Planning Authorities, the Broads appeared in the top quartile.

RESOLVED

that the report be noted.

10/20 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 25 May 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 11.44 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 27 April 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
ALL members	10/9(3)	Application BA/2018/0091/ADV Whitlingham Country Park, Whitlingham Lane, Trowse Signs. Application a Broads Authority application.
Haydn Thirtle	10/9(1)	Board member of IDB (Broads) – application over culvert
Haydn Thirtle	10/14	Borough Councillor for Great Yarmouth

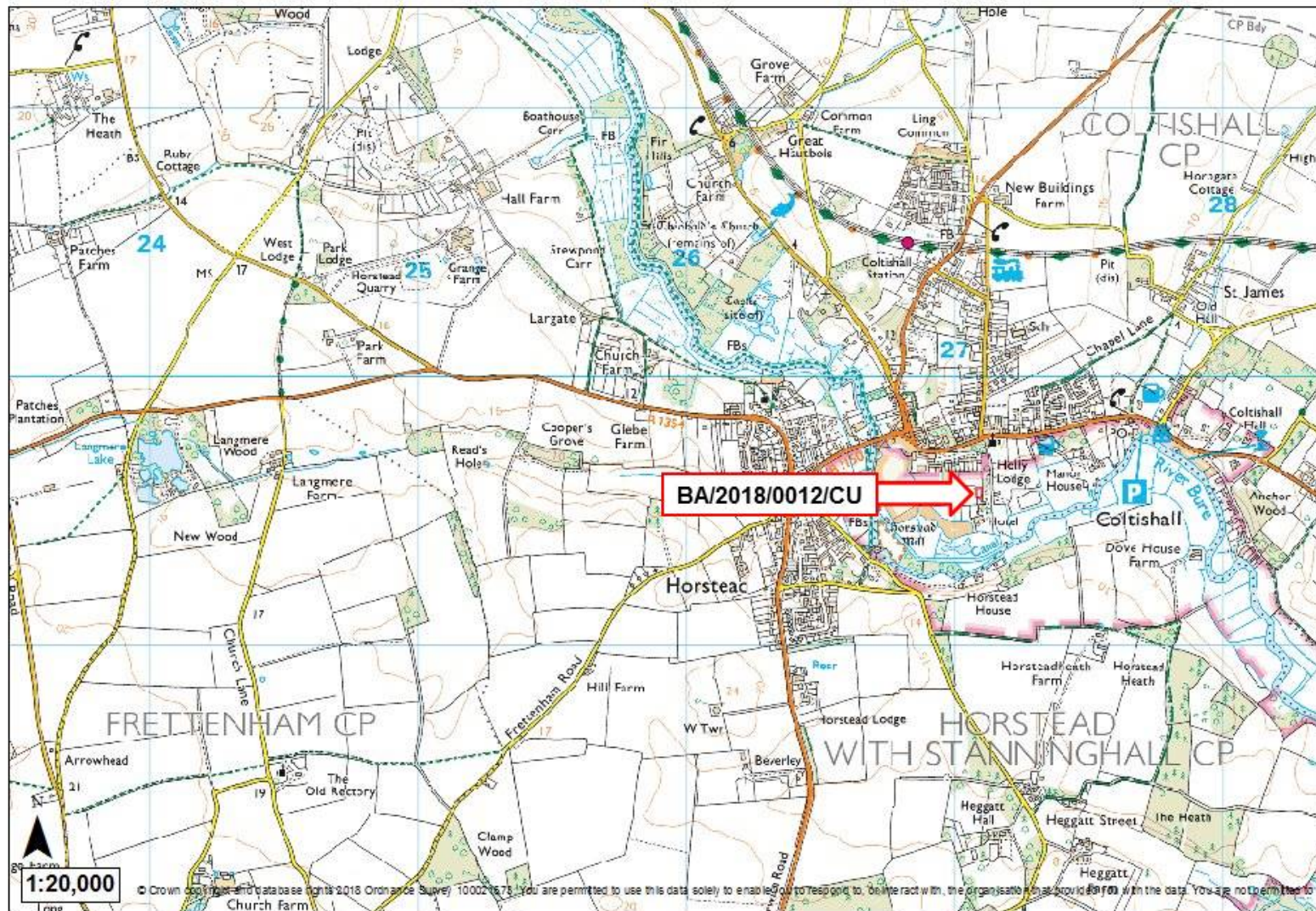
Reference:

BA/2018/0012/CU

Location

Building adjacent to Barn Mead Cottages, Church
Loke, Coltishall

BA/2018/0012/CU



Application for Determination
Report by Planning Officer

Target Date	30 May 2018
Parish:	Coltishall Parish Council
Reference:	BA/2018/0012/CU
Location:	Building Adjacent Barn Mead Cottages, Church Loke, Coltishall
Proposal:	Change of Use from B8 to residential dwelling and self-contained annexe
Applicant:	Mr Gordon Hall
Recommendation:	Refuse
Reason for referral to Committee:	Representations Received

1 Description of Site and Proposals

- 1.1 The building subject of this application is situated approximately 200m south of the B1354 Wroxham Road, at the end of a short road known as Church Loke in Coltishall. There is currently an unformed access off the unadopted driveway at the end of Church Loke.
- 1.2 The building is located on a 0.15ha site lying to the north of the Norfolk Mead Hotel and Barn Mead Cottages, which are also accessed off Church Loke, via the unadopted driveway. The building is in the ownership of, and used by, the applicant who owns and lives in one of the Barn Mead Cottages. A number of residential properties are located along Church Close, approximately 130m to the north of the site.
- 1.3 There are a number of mature trees adjacent to the site, two of which lie in close proximity to the building, and there is Leyland Cypress hedging around the site.
- 1.4 The site is located outside the Development Boundary for Coltishall, however, it is included in the Coltishall and Horstead Conservation Area.

- 1.5 The site is located within Flood Risk Zone 1.
- 1.6 The building itself was originally constructed to be used by the applicant from which to run his fine wine import business. The storage area was to be used for the interim storage of fine wines which would have been delivered from the main warehouse to be distributed around the Norwich area, with an associated office. The building has a gross footprint of 152.41m². It is constructed with the main bulk of the building running north-south, which was designed to accommodate the store and garage, which is 19.84m in length and 5.3m wide. A smaller wing running east-west at the southern end of the main building accommodates the office, measuring 10.1m in length and with a width of 4.8m. The garage/storage area of the building has a ridge height of 5.7m with the office section of the building having a ridge height of 5.5m. The building is clad in natural stained timber cladding with red clay pantiled roof. All joinery is brown stained timber joinery. The building sits on a plinth of red engineering bricks.
- 1.7 This application seeks permission to convert this office/storage building into a dwelling unit with a separate annexe. The storage/garage wing of the building running north-south would accommodate a single ensuite bedroom, a living room and a kitchen. The office wing of the building running east-west would accommodate a bed/living room including a small kitchenette and a small bathroom. The dwelling would be lived in by the applicant and his partner with the applicant's aged father occupying the annexe. Given the current design of the building and the fenestration pattern, the change of use of the building would require no alteration to the external appearance of the building. Foul water is disposed of via a new septic tank installed to the west of the building and the surface water is disposed of via a soakaway created close to the new septic tank.

2 Site History

- 2.1 Planning permission was granted in November 2005 for 'Alterations, Change of Use and Extension of Barn to Warehouse/Store, Ancillary Office and Garage' (05/2005/0745) to allow the conversion of an existing barn. However, as work commenced on the building to implement the conversion it allegedly became apparent that the structure was dangerously unstable and accordingly upon the advice of Building Control the building was demolished. Following demolition new foundations were laid in accordance with the original permission and the owner commenced a full reconstruction of the building. In legal terms, however, given that the building to which the planning permission had related was no longer in situ, the planning permission for conversion could not be implemented as there was no building to convert.
- 2.2 BA/2011/0006/FUL - Reconstruction of demolished barn for storage and minor office use – Approved subject to conditions.
- 2.3 BA/2015/0175/NONMAT - Non material amendment to planning application BA/2011/0006/FUL to allow the relocation of main delivery entrance, addition of window to corridor, alteration from French doors to window and pedestrian access door to store area – Approved.

3 Consultations

3.1 Consultations received

Coltishall Parish Council

The Parish Council objects to the above 'Change of Use' Planning Application.

Our objection is based on the following grounds:

- 1) This site is well outside the settlement limit for Coltishall. The character of Coltishall as a Broads village requires carefully planned development on a controlled basis if it is not to be lost. It is not unusual to receive such change of use applications and if they were to be approved other than very exceptionally it would create significant problems. The Parish Council can find no material justification or merit in the application to treat it on such an exceptional basis.
- 2) The site is on the flood plain. Coltishall Parish Council wishes to discourage residential use of land on the flood plain.
- 3) The site is close to the river and to a dyke. Any inappropriate discharge or seepage could have disastrous consequences for amenity and tourism.
- 4) Access to the site is via a long, single-track road. Its junction with Church Street is already hazardous, and the proximity of the junction to the churchyard entrance is of concern given the number of elderly visitors who tend graves etc. The potential for additional traffic - now and in future - is problematic.
- 5) The fact that the site is in the conservation area is also a consideration. Conservation is about character and spatial amenity as well as individual buildings. The Parish Council does not wish to see further unplanned increase in residential use of land within the conservation area and especially on a site with such problematic access issues.

We would also ask the Broads Authority to note that Coltishall is already under significantly increased pressure from the volume of traffic associated with housing development in North Walsham and Wroxham and has the immediate prospect of 30 new houses and so a planned 420 additional daily car journeys on Rectory Road, which stands opposite the junction with the access road to this site. This is before the implications of the revised Greater Norwich Local Plan have been considered.

For all of these reasons, we ask the Broads Authority to reject this change of use application.

Highway Authority

As you will be aware the Highway Authority have in the past raised concerns about the adequacy of the junction of Church Loke with Church Street/Wroxham Road in terms of substandard visibility, and this concern remains.

However, whilst no traffic information has been submitted, it accepted that the current permitted B8 use does generate traffic movements and it is possible that these could be commercial vehicles. The proposed residential unit will obviously generate traffic movements and given the scale, I suspect these

would be similar to the present use; but more importantly the proposals, if approved, would remove regular commercial vehicle trips which in highway terms is of benefit given the access constraints.

In terms of the annexe, I am of the opinion that, if genuinely used as ancillary accommodation only, then the traffic levels should not increase as there will be the ability to make linked trips with other family members; the LHA would recommend appropriate condition restricting that element of the development to such use, if approved. Accordingly on balance I do not consider that the proposals would give rise to a severe residual cumulative impact in highway terms and therefore raise no objection.

3.2 Representations Received

Two representations have been received objecting to the proposed change of use. The main reasons cited for the objections are:

- This development would set a precedent for further development in the Conservation Area;
- The building is very close to a flood plain in the area;
- The building was designed and constructed as a bungalow with the intention of obtaining a change of use on the premises;
- If permission is granted not one, but two dwellings would be created;
- Reassurance is sought that the sewage system in the area is able to cope with the additional effluent as the dyke around the grazing marsh is in very close proximity;
- The site is outside the development boundary.

4 Policies

- 4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy

[Core Strategy Adopted September 2007 pdf](#)

CS1 – Landscape Protection and Enhancement

CS4 – Creation of New Resources

CS5 – Historic and Cultural Environments

CS24 – Residential Development and the Local Community

Development Management Policies DPD

[Development-Management-DPD2011](#)

DP4 – Design

DP11 – Access on Land

- 4.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD

DP5 – Historic Environment

DP21 – Conversion of Buildings in the Countryside

DP22 – Residential Development within Defined Development Boundaries

DP28 – Amenity

5 Assessment

- 5.1 In determining this application the main issues to be taken into consideration include: the principle of the development; impact on the Conservation Area; highway impact; flood risk; residential amenity.
- 5.2 The subject building is situated outside the Development Boundary of Coltishall. Therefore in accordance with Policy DP22 the creation of a new residential property on this site would be resisted unless the development proposed could satisfy the requirements of one of the relevant residential Policies. As the proposal is for the conversion of an existing building the development should be assessed against Policy DP21 of the Development Management Policies DPD.
- 5.2 Policy DP21 requires buildings situated outside Development Boundaries and in the open countryside to be converted to employment, tourism, recreation or community uses in the first instance. Conversion to a main residence for the occupiers would only be acceptable when it is clearly demonstrated the employment, recreation, tourism or community uses would be unviable. On this basis the application has been supported by a Financial Viability Assessment prepared by the applicant. The letter prepared by the Chartered Surveyors to accompany the Viability Assessment concludes that the conversion of the building to self-catering holiday accommodation is not viable particularly having regard to the property's proximity to the function room of the adjacent Mead Hotel. It also concludes that the village of Coltishall is well served with recreational and community facilities and consequently it is most unlikely that there would be adequate demand for such a use. As the permitted use of the building is for commercial storage and office use (i.e. employment) it is harder to successfully argue the point that the continued use of the building for employment use would be unviable. The Chartered Surveyors writing in support of this application have stated that it is fair to comment that there is a demand for offices in out of town rural locations such as Coltishall. However in their opinion the lack of road frontage does have a detrimental effect on the commercial viability of the subject building. Whilst rental levels of offices in rural locations remain relatively strong, they are not always viable for businesses seeking rural trading premises and, in light of this, the Chartered Surveyors are of the opinion that conversion to residential use is more suitable. However, they do go on to state that the robustness of this opinion/conclusion can only really be tested with the marketing of this

property to let as a commercial property. It should be noted that no such marketing has taken place.

- 5.3 The Financial Viability Assessment and the covering letter prepared by the Chartered Surveyors have been reviewed by the Broads Authority's Independent Financial Consultant. The Authority's Consultant concludes that he agrees with the conclusion that the use of the property for community use is unviable and that holiday use would be marginal. However, based on the evidence currently put forward, and his own consideration of the case he does not agree that the continued commercial use of the subject building is not viable. He agrees with the Chartered Surveyors' view that until the property has been fairly and properly exposed to the market it is difficult to say that there would be no demand for it as a commercial property either in its existing condition or as improved.
- 5.4 Subsequent to this assessment the applicant has provided a valuation of the property from another firm of Chartered Surveyors. However, the Authority's Independent Financial Consultant has concluded that this document has not been prepared for the purposes of addressing the viability case and it does not therefore persuade him to arrive at a different conclusion.
- 5.5 Based on the above information and the assessment of the submitted information it is apparent that a robust argument that the continued use of this building for commercial/employment purposes is unviable cannot be made in the absence of evidence that the property has been marketed in a realistic manner for a number of months and this has demonstrated non-viability. In the absence of such an exercise being undertaken it cannot be concluded that the conversion of the subject building to residential use is the only viable option for the re-use of this building. The development cannot therefore be considered to be in accordance with Policy DP21 of the Development Management Policies DPD.
- 5.6 Members will be aware that planning legislation requires planning applications to be determined in accordance with Development Plan Policies unless material planning considerations indicate otherwise. The applicant has stated that in this case he would like his personal circumstances taken into account as a material planning consideration in the determination of this application. The application has been supported by a Planning Statement setting out various Appeal cases where personal circumstances have been accepted as a material planning consideration. The applicant has therefore submitted a Personal Statement in support of this application. In his Personal Statement he states that whilst it was originally intended to house his wine business in the subject building, by the time planning permission was granted for the construction of the subject building he had sought alternative premises from which to run his business. The building was therefore redundant in terms of the original proposed use and has only been used for minor storage and office use in the interim, in conjunction with the additional premises elsewhere. In addition to this the applicant states that he now has sole responsibility for the care of his 90 year old father who currently lives some distance away and requires both emotional as well as practical support. The applicant therefore

wishes to move his father closer to him so that he is better able to look after him – hence the request for the creation of the annexe in addition to the dwelling. He advises that Barn Mead Cottage, where the applicant currently lives, is not suitable. Whilst an argument could be made that the applicant could move to an established property more appropriate to his needs, he argues that he and his partner have lived on this property for between 20 and 30 years and that the ashes of family members are scattered on land adjoining the subject building. They therefore have a strong emotional bond to this property. The final point he makes is that his current home is closer to the Mead Hotel and joined to the function venue by way of an external wall. The proximity to the hotel and in particular the function venue, has had an adverse effect on the applicant's health and he considers that a move to the subject property would provide a more suitable and tranquil amenity for all concerned.

- 5.7 The decision therefore has to be made whether the personal circumstances are significant enough, and carry sufficient weight, as to justify planning permission being granted contrary to Policy DP21. It is considered that whilst there may be a need for the applicant and his partner to move to a home which is more suitable to also provide safe and supported accommodation for the applicant's father, this need could be met by purchasing or renting an established property elsewhere. The applicant has stated that his health has suffered considerably as a result of living in close proximity to the Mead Hotel. It is questionable whether moving from Barn Mead Cottage to the subject building to live would provide a sufficient degree of separation to satisfactorily address the applicant's issues of living in close proximity to the hotel to result in an improvement to his health and, again, this outcome could be more easily achieved by relocating elsewhere. In terms of the applicant's unique connection with this property with both his relatives, and that of his partner's, ashes having been scattered on the property, this is probably the most 'special' of the personal circumstances cited which tie the applicant and his partner to this property. However if they were to retain ownership of the building and it was rented out to a third party as a business premises, they would still retain that link to this land the special relevance it has to them.
- 5.8 The pros and cons of this application are finely balanced. Whilst the applicant has failed to provide a robust argument that the only financially viable use of the subject building is residential, and has made the decision not to undertake a marketing exercise to test the market, which would strengthen his case, there are personal circumstances associated with this case which should be taken into account as a material planning consideration. Whilst the situation is regrettable it is not wholly unusual and it is concluded that in this instance the personal circumstances do not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy DP21 of the Development Management Policies DPD.
- 5.9 In terms of any effect this proposal would have on the character of the Conservation Area, it is considered that there would be no adverse impact. At the time the building was originally granted planning permission and subsequently constructed care was taken to ensure that the scale, design and choice of materials complemented the character of the Conservation Area.

The current application for the change of use of this building to residential use would not necessitate any external changes to this building. Furthermore the site is surrounded by other residential properties. It is therefore concluded that the change of use of this building to residential use would not have a material effect on the character of the Conservation Area. The scheme is therefore in accordance with Policies CS5 of the Core Strategy and DP5 of the Development Management Policies DPD.

- 5.10 The consultation response received from Coltishall Parish Council has cited the adverse impact any additional traffic that would be generated by this proposal would have the junction between Church Street and Church Loke as a reason for objecting to the proposal. However the Highway Authority has stated that whilst it has concerns about the adequacy of the junction between Church Street and Church Loke, in terms of substandard visibility, it considers that whilst the proposed residential use of the subject building would generate traffic movements, it is anticipated that these would be similar to the permitted use and more importantly it would remove regular commercial vehicle trips which in highway terms is of a benefit given the access constraints. Therefore the Highway Authority considers that the proposal would not give rise to a severe residual cumulative impact in highway terms and therefore does not object. The proposal therefore has to be considered as compliant with Policy DP11 of the Development Management Policies DPD and the NPPF.
- 5.11 Whilst the representations received and the Parish Council consultation response object to the proposal on the basis that the site is situated in a flood plain the site is in fact situated in Flood Risk Zone 1 as shown on the Strategic Flood Risk Assessment (SFRA). Therefore the change of use of the subject building to residential use would be acceptable in terms of flood risk and in accordance with Policies CS20 of the Core Strategy and DP29 of the Development Management Policies DPD as well as the NPPF.
- 5.12 The building was originally constructed with a septic tank to deal with foul water disposal. It is intended that if planning permission is granted for the residential use of this building that the septic tank would also deal with any foul water generated. There would therefore be no issue of inappropriate discharge or seepage adversely affecting the area.
- 5.13 Given the location of the building in relation to the other residential properties in the vicinity of the site, the fenestration pattern of the building, the mature screening of the site and the fact that the building would be used as a residence means that there would be no adverse impact on the residential amenity of either other dwellings in the area or the subject property. The proposal would not therefore be considered contrary to Policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 In conclusion, based on the information submitted to support this application, the change of use of the subject building to residential has to be considered as contrary to Policy DP21 of the Development Management Policies DPD.

Whilst it is accepted that the personal circumstances associated with this case can be considered as a material planning consideration, on balance it is considered that they do not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy. It is therefore recommended that planning permission is refused.

7 Recommendation

Refuse

8 Reason for Recommendation

- In the opinion of the Local Planning Authority insufficient information has been submitted to demonstrate that the residential use of the subject building is the only viable use for the property. The proposal has to therefore be considered as contrary to Policy DP21 of the Development Management Policies DPD. Whilst it is accepted that the personal circumstances associated with this case can be considered as a material planning consideration, on balance it is considered that they do not carry sufficient weight to justify planning permission being granted contrary to Development Plan Policy.
- In all other respects the development proposed is considered to be in accordance with the relevant Development Plan Policies.

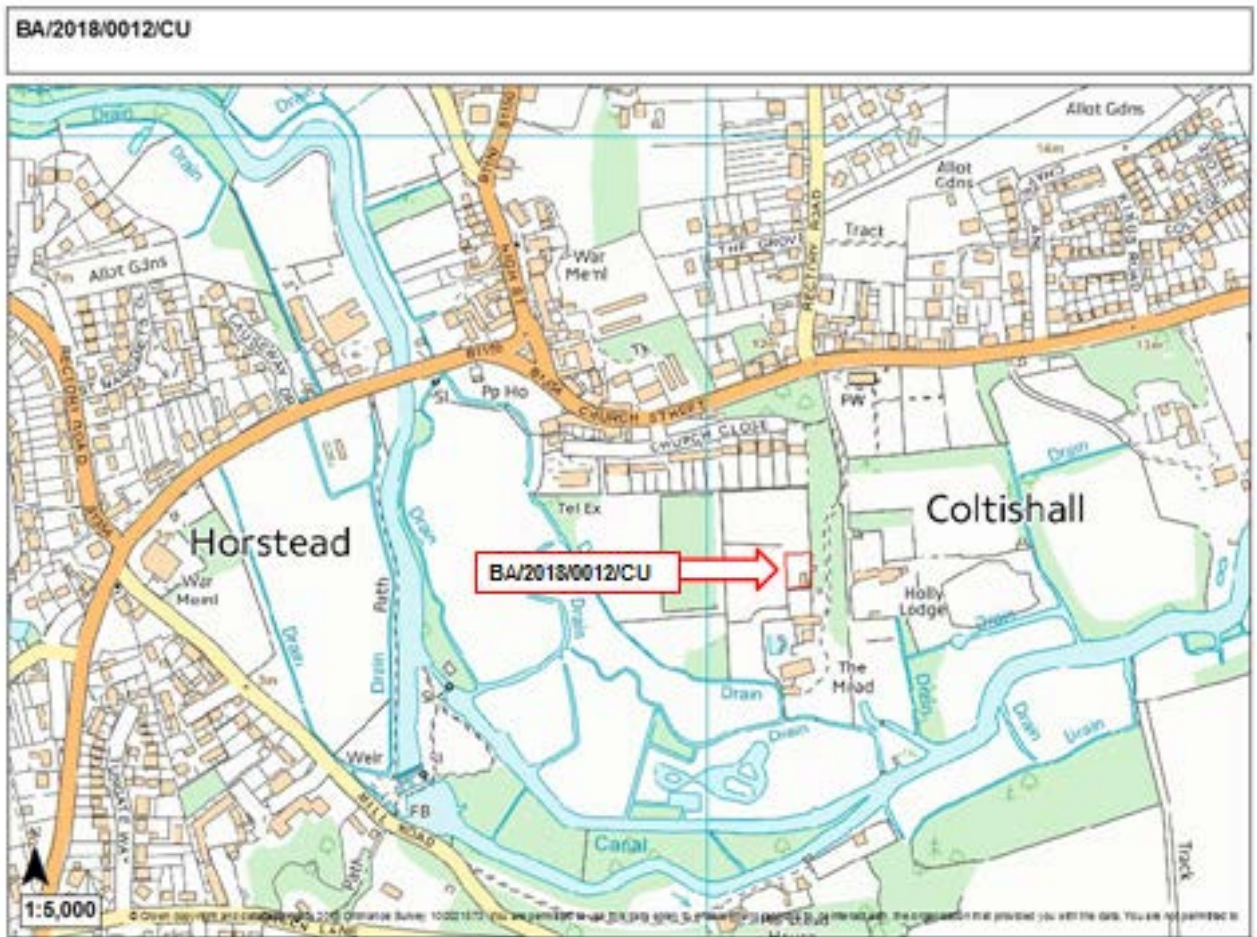
Background papers: BA/2018/0012/CU

Author: Alison Cornish

Date of report: 11 May 2018

Appendices: Appendix 1 – Map

BA/2018/0012/CU Building adjacent to Barn Mead Cottages, The Loke, Coltishall



Reference:

BA/2018/0025/COND and BA/2018/0026/COND

Location

The Old Maltings, 14 Anchor Street, Coltishall

BA/2018/0025/COND



Application for Determination
Report by Planning Officer

Target Date	30 May 2018
Parish:	Coltishall Parish Council
Reference:	BA/2018/0025/COND & BA/2018/0026/COND
Location:	The Old Maltings, 14 Anchor Street, Coltishall
Proposal:	Variation of Conditions 3 and 4 of planning permission BA/2005/5107/HISTAP and BA/2005/3803/HISTAP to vary the design and use of the approved garage
Applicant:	Mr D Smith
Recommendation:	Approve subject to Conditions
Reason for referral to Committee:	Representations Received

1 Description of Site and Proposals

- 1.1 The site of this application is situated at the eastern end of Coltishall on the western side of Anchor Street. The site extends from Anchor Street down to the River Bure.
- 1.2 The original Old Maltings cottages are located immediately adjacent to Anchor Street. These buildings are separated by an arch through which you drive to access the application site. One of these cottages is included within the curtilage of this application site. A 3.1m high red brick wall runs east/west from the back of this L-shaped property and forms the southern boundary of the application site. Within the site there is a large two storey dwelling positioned adjacent to, and running parallel with, the northern site boundary. This dwelling is constructed of red brick with a red pantile roof including a number of dormer windows. Piling and a flooring slab has been laid adjacent to the wall on the southern site boundary.

- 1.3 To the south of the site is a residential property referred to as 18 Anchor Street which comprises a triple garage and lean to outbuilding immediately adjacent to the application site and a Grade II listed two-storey house positioned at the southern end of the site fronting Anchor Street. One of the Old Maltings cottages is adjacent to the north-eastern corner of the site. To the north of the site there is a large residential property known as 'Landfall' 8 Anchor Street, which comprises a single storey dwelling positioned parallel to Anchor Street, in the front half of the site. Both 18 Anchor Street and 8 Anchor Street properties extend from Anchor Street down to the River Bure.
- 1.4 The Old Maltings cottages are Grade II* listed. As the southern boundary wall of the application site is attached to the southernmost listed cottage it is therefore listed by attachment. The application site is situated in the Coltishall Conservation Area.
- 1.5 The western boundary of the site is located in Flood Risk Zones 2 and 3 although the site of the proposed building is situated in Flood Risk Zone 1.
- 1.6 In June 2005 Broadland District Council granted planning permission and listed building consent for the construction of a coach house/garage building on this site, where some original buildings had been demolished, and using the existing wall on the southern boundary of the site to form the rear wall of this building. This building would measure 18.5m by 8m with a ridge height of 5.5m. It was to be constructed using pantiles, bricks, timber and fenestration to match the existing house as closely as possible. These permissions were granted subject to the development being in accordance with the approved plans and subject to planning conditions including Condition 3 which prevented the creation of dormer windows or other openings in the roofspace and Condition 4 which requires the garage to be used only for purposes incidental to the occupation and enjoyment of The Old Maltings as a single private dwelling house. The piling and floor slab of this building have been constructed on the site but no further construction work has been carried out.
- 1.7 This current application is seeking to amend the approved plans for the coach house garage building and to vary Conditions 3 and 4 of the extant planning permission to create an upper floor within the garage building to provide an ensuite bedroom, WC and cinema room to be used as part of the overall residential use of the site. The building footprint would remain the same as approved, although the upper floor would extend a further 1.1m to the north over the ground floor and be supported by posts at either end. The ridge height would remain at 5.5m. The walls of the building would be continued up an additional 1m and the design of the roof would be altered to create a shallower pitched roof with a partial hip detail to the eastern elevation. An external staircase and small balcony would be added to the western end of the building to provide access to the upper floor and four dormer windows would be added to the northern roof plane. Whereas the previous single storey building utilised the southern boundary wall to form the rear wall of the building the scheme being proposed includes the construction of a series of structurally independent piers adjacent to the boundary wall at ground level to support the rear wall of the upper floor. A weather tight joint would be

achieved, where the two walls abut at high level, using lead flashing. The building would be constructed using the same palette of materials as originally approved.

2 Site History

- 2.1 BA/1991/4852/HISTAP - Two storey detached building including garages, gymnasium and relaxation area – Refused.

BA/1999/4211/HISTAP - Erection of single storey garage block in grounds – Approved subject to conditions.

BA/1999/4398/HISTAP - Erection of single storey garage block in grounds (listed building) - Approved subject to conditions.

BA/1999/4930/HISTAP - Demolition of car port and other derelict buildings (conservation area) - Approved subject to conditions.

BA/2001/4038/HISTAP - Erect a satellite dish (listed building) - Approved subject to conditions.

BA/2005/3803/HISTAP - Erection of single storey garage block - Approved subject to conditions.

BA/2005/5107/HISTAP - Erection of single storey garage block (listed building) - Approved subject to conditions.

3 Consultations

- 3.1 Consultations received

Coltishall Parish Council

Our objection is based on the following grounds:

- 1) This site is well outside the settlement limit for Coltishall as defined in the 2016 Broadland District Council DPD. The character of Coltishall as a Broads village requires carefully planned development on a controlled basis if it is not to be lost. It is not unusual to receive such applications and if they were to be approved other than very exceptionally it would create significant issues for neighbouring residents. The Parish Council can find no material justification or merit in the application to treat it on such an exceptional basis.
- 2) The fact that the site is in the conservation area is also a consideration. Conservation is about character and spatial amenity as well as individual buildings. The Parish Council does not wish to see further unplanned increase in residential use of land within the conservation area and especially on a site which already has a number of closely positioned structures.

- 3) Regarding the removal of conditions 3: dormer windows, windows of any description facing Anchor House would mean overlooking and loss of privacy especially considering the height of the proposed structure and are strongly opposed.
- 4) It is clear from the drawings and plans that this structure is so large scale it would unnaturally dominate the immediate area and result in significant loss of daylight in the garden of Anchor House.
- 5) The proposal to incorporate a listed wall into this structure is also troubling, such structures should be afforded special protection commensurate with their status and it is unacceptable that it should be used in such a way.
- 6) It would appear from the drawings that the roof of the proposed structure would overhang the boundary of Anchor House which in our view is completely unacceptable.
- 7) The application form states incorrectly that the proposed structure cannot be seen from the road, this is not the case I stood in the garden of Anchor House under the south wall and could plainly see the road.
- 8) I am advised that by Mr and Mrs King of Anchor House that they received no communication from the Broads Authority advising them of these plans yet other neighbours did which is disconcerting given what a negative impact this proposed structure will have on their property.

We would also ask the Broads Authority to note that Coltishall's infrastructure and character is already under significantly increased pressure associated with housing development in and around the village so any further development especially outside recognised settlement limits is highly undesirable and this is before the implications of the revised Greater Norwich Local Plan have been considered.

For all of these reasons, we ask the Broads Authority to reject this application.

Historic England

On the basis of the information available to date, Historic England do not wish to offer any comments. We would therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

Broads Society

The proposed dormer windows face in the direction of number 8, which isn't mentioned in the application and, of course, condition 3 was imposed for his benefit and that of the property to the south, number 18, which is mentioned.

Condition Three

1. The property is within the Coltishall Conservation Area and is visible from the River Ant. The Conservation Area extends quite some distance away from the property on the opposite bank, besides to either side. The Heritage Statement says, “the proposal is considered to make a positive visual contribution”. I suggest a Site Visit is in order, because the new design is less of a “visual contribution” than the existing permission.
2. The design does not merely insert dormer windows into the previously approved structure. The height of the eaves on the north and south elevations has been raised to provide headroom in the roof space. The pitch of the roof has been flattened. The listed Maltings have a steep pitched roof.
3. There is an open extension to the west, provided with an external staircase leading to a viewing balcony with a wide window facing the same direction. Although the overhang will mitigate, to a certain extent, the overlooking of adjoining properties, it will not eliminate overlooking entirely. This is really a new design, not just an application to remove conditions.

Condition Four

I don't see any mention of this condition in the application documents. I wonder if this is a clerical error at the Broads Authority? As this is a domestic property, I don't see any reason why the condition is requested for removal unless, perhaps, if it is intended for separate occupation, which would be feasible with the proposed internal layout, but not desirable in my view, as this is a domestic property. This needs clarification.

Application Review Schedule

The schedule lists number 16 among the list of persons consulted, but not number 18, who have a legitimate expectation of being consulted. Number 16 is part of the applicant's own property, so perhaps this is also a clerical error. If not, the situation needs to be remedied, otherwise the Committee is opening the door to an appeal.

3.2 Representations Received

Representations have been received from the neighbours on either of the application site. Both parties are objecting to the proposed development for the following reasons:

- The scale and bulk of the building would have an adverse impact on the Conservation Area.
- Adverse impact on the structural integrity of the southern boundary wall.
- Overlooking from the balcony and the dormer windows and resultant loss of privacy.
- Concern that any variation or removal of condition 4 would open up the possibility of the garages being used for commercial, industrial or business uses.

- Appropriate materials to be used on the external walls and in the balcony screens.
- Adverse effect of over dominance on adjoining garden.

4 Policies

- 4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

Core Strategy [Core Strategy Adopted September 2007 pdf](#)

CS1 Landscape Protection and Enhancement

CS4 Creation of New Resources

CS5 Historic and Cultural Environments

Development Management Policies DPD

[Development-Management-DPD2011](#)

DP4 Design

- 4.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD

DP5 Historic Environment

DP28 Amenity

- 4.3 Neighbourhood Plan

There is currently no Neighbourhood Plan for Coltishall.

5 Assessment

- 5.1 In terms of the assessment of this planning application and associated listed building consent application the main issues to be considered in the determination of these applications include: the principle of the development; design and materials and the impact on the listed buildings and the character of the Conservation Area; impact on residential amenity.

- 5.2 As the planning history for this site demonstrates there have historically been buildings on the site of the proposed building for many years. Planning permission was granted in 2005 for the construction of a single storey coach house garage building on this site. This building had a building footprint of 18.5m by 8m with a ridge height of 5.5m. Evidence has been provided by the applicant to confirm that the piling and floor slab of the approved building

visible on the site were constructed in November 2005 in accordance with the approved plans. The development has therefore legally been commenced and this planning permission therefore remains extant. The principle of a building this size with a ridge height of 5.5m in this location has therefore been established, which is an important consideration in the determination of this current planning application. Whilst the proposed development includes the addition of accommodation on an upper floor and a redesign of the roof the building to be constructed would be based on the same building footprint, would have the same ridge height and would be very similar in scale to the building that currently has planning permission.

- 5.3 The garages are required to provide garaging/undercover parking for the applicant's cars, as there is none on the site currently, and the upper floor would provide an ensuite bedroom and recreational space to be used incidental to the occupation and enjoyment of the dwelling on the site. The representations received have raised concerns that the request to vary Condition 4 of the previous planning permission would result in this building being used for commercial, industrial or business purposes. However the reason for varying Condition 4 is to provide for the additional use of the building for ancillary accommodation in addition to its use as a garage. There is no intention for the proposed building to be used for any business, industrial or commercial purpose. An email to this effect has been received in support of this application.
- 5.4 It is therefore considered that the principle of the development proposed is acceptable.
- 5.5 The Old Maltings cottages are Grade II* listed buildings and the site is situated in the Coltishall Conservation Area. It is therefore necessary to assess the design, materials and form of the proposed building and the impact it would have on the listed buildings and the wider Conservation Area.
- 5.6 It is understood that the listed southern boundary wall did historically have buildings along it when the Maltings was in use. There have been no buildings in recent times save a single storey garden room abutting the wall which has since been demolished. The construction of the proposed building is a change to the existing situation, where there is no building currently, but the scheme represents only a relatively modest change to the building which has an extant approval. The proposed building is physically detached by some distance from the listed cottages although the boundary wall creates a visual link between the proposed building and the cottages. The impact on the setting of the listed cottages is considered to be negligible, with the main issue being the partial loss of view of the rear of the cottages from the River Bure. However, historically, the rear elevation of the listed cottages would have been viewed through a working Maltings yard and, whilst this proposal does not seek to replicate that situation faithfully, it is a fact that the rear elevations of the listed buildings were not designed as principal elevations to enjoy views either to or from the River. The proposed building will only be partially visible from Anchor Street and would not impact on the setting of the listed building from this aspect. In terms of the proposed addition to the complex of buildings on the

Maltings site the proposed building is orientated so as to relate to the unlisted dwelling opposite and to form a courtyard with the listed cottages. Whilst the new building will partially obscure the current view to the listed cottages from the River it mirrors the situation on the northern side of the site and, along with the existing dwelling, “frames” the view of the listed cottages and accentuates their axis centred on the arched entrance way. Historically previous buildings (since demolished) would have done the same. The proposed building has been detailed and uses materials that closely match the unlisted dwelling rather than the listed cottages and again, through that contrast, would allow the listed buildings to be clearly read and the hierarchy of form on the site to be retained. In conclusion any harm caused to the setting of the listed cottages on the site is considered to be minimal.

- 5.7 In terms of any visual impact of the proposal on the listed wall it has to be acknowledged that historically this wall had buildings associated with the Old Maltings along it. In terms of the physical impact of the proposal on the listed wall, unlike the extant permission, the current proposal is no longer reliant on the listed wall for structural support, with the scheme including the construction of a series of structurally independent piers adjacent to the wall to support the rear wall of the upper floor. This means that the wall in question will not need to be altered or adapted to ensure it is capable of additional loading. It is therefore considered that the current application cannot be said to impact adversely on the setting of the Maltings wall and is in fact an improvement in terms of the impact on the listed wall.
- 5.8 Whilst it is acknowledged that the neighbouring building, No 18 the Old Anchor Public House is also a listed building, this property sits within a defined separate curtilage and therefore any impact of this proposal on this property has to be considered in the wider area and the fact that the area is located within the Coltishall Conservation Area.
- 5.9 In terms of the impact of the proposed amended scheme on the wider Conservation Area this is again considered negligible. Whilst there is currently no building on the site, as stated above, there is extant consent for a building of similar scale and form on the site. Whilst the detailing of the proposed building has changed slightly from the previously approved plans it now more closely references the dwelling “The Old Maltings” to the north of the site. In terms of any physical and visual impact on the Conservation Area the introduction of a building in this location is considered in keeping with the grain of development along Anchor Street. In this area buildings are constructed (and have been traditionally) both on north, south and east - west axis presenting a variation of flank and gables walls to both Anchor Street and the River. Given the proposal’s orientation and location it is considered an appropriate addition to the Conservation Area in terms of built form. In terms of its detailed design and visual impact on the Conservation Area the building would be visible from the River and indeed from curtilages within the Conservation Area, particularly No 18 which it abuts, however, buildings on the boundary or close to it exist elsewhere in the Conservation Area. Roof structures of neighbouring properties are clearly visible from many neighbouring private curtilages within the area. The same is true in views from

the River and Anchor Street where the complex pattern of existing development is clearly read and indeed part of the character of the area. The use of materials inside the site references the dwelling “The Old Maltings” and in the main the more ornate details are visible only from within the site. The simple wall and roof presented to the neighbouring property in red brick and pantile are again typical of the materials prevalent throughout the Conservation Area. In summary the impact of the proposal on the whole of the character of the Conservation Area (which is the test set in the NPPF) cannot be considered to be adverse.

- 5.10 On the basis of the above assessment it is considered that this proposal would not have an adverse impact on the listed buildings/structures either within the site or in the vicinity of the site or on the character of the wider Conservation Area. It is therefore considered to be in accordance with Policies CS5 of the Core Strategy, DP4 and DP5 of the Development Management Policies DPD and Part 12 of the NPPF.
- 5.11 The representations received have raised the issue of the proposed building having an adverse impact on residential amenity as a reason for objecting to the scheme. The main concerns are that there would be overlooking on the residential properties either side of the application site from the dormer windows and the balcony, and that the building would have an over dominant effect on the residential property to the south. Concern has also been raised about the ultimate use of the building and any impact this may have on their residential amenity.
- 5.12 In terms of addressing the issue of overlooking and resultant loss of privacy, there are to be no dormer windows in the southern roof plane of the building. Any views from the four dormer windows to be added to the northern roof plane would all be screened from any views into the garden of 8 Anchor Street, to the north of the site, by the existing dwelling on the application site. Any oblique views that may be possible from the westernmost window would be down towards the westernmost end of the neighbouring garden adjacent to the river. Whilst no detail has been provided of the exact material to be used on the balcony balustrading it has been confirmed by the applicant that the material used would restrict views to the north and south, with views being directed westwards towards the River. This can be achieved/ controlled through the use of a planning condition. An additional consideration is that the balcony is only approximately 2m wide at its widest point and also includes the staircase. It therefore would not create a space that would be readily used as a seating area. It is therefore considered that the development proposed would not give rise to a loss of privacy through overlooking. It should also be acknowledged that the gardens of both residential properties on either side of the application site are open to the River Bure on their western boundaries and so their privacy is already compromised.
- 5.13 The owners of the property to the south of the site, 18 Anchor Street, are concerned that the building, as proposed, would have an overly dominant effect on their garden. A material consideration in the determination of this application is that there is an extant planning permission for a building with the

same building footprint and the same ridge height as the building proposed. Whilst the design of the building has been modified to accommodate the upper floor it is not considered that these amendments in themselves generate an unacceptable effect of over dominance. The boundary wall is currently 3.1m high and the wall of the proposed building would only extend 1m above the existing wall. The roof of the building then slopes away from the boundary up to a ridge height of 5.5m, as currently approved. The adjoining property has a large garden with the main orientation of the garden being towards the river. The proposed building would also be to the north of the garden of 18 Anchor Street which is another factor minimising the impact the proposed building would have on the enjoyment of this area of the garden. The owner of 18 Anchor Street has stated that the subject building would have an adverse effect on the views that they currently enjoy to the north. However, there is no right to a view and this is not therefore a valid consideration in the determination of this application.

- 5.14 As mentioned previously concern has been raised that the request to vary Condition 4 is borne out of a desire to use this building for commercial, industrial or business uses that would not be compatible with the residential character of the area. However there is no intention to use the building for any purpose other than as incidental to the occupation and enjoyment of the Old Maltings as a single private dwelling house. The need to vary the condition is to enable the permitted use to include the ensuite bedroom and recreation space as well as the garages.
- 5.15 On the basis of the above assessment it is concluded that the proposed scheme would not have an adverse effect on the residential amenity of the residential properties on either side of the application site and that the application is in accordance with Policy DP28 of the Development Management Policies DPD.

6 Conclusion

- 6.1 In conclusion it is considered that the submitted scheme is an acceptable amendment to the extant permission that exists on the site. The design and materials of the building proposed are considered to respect the setting of the listed building and to preserve the character of the Conservation Area. Whilst concerns have been raised over the adverse effect the proposed building would have on the residential amenity of the adjoining residential properties, it is concluded that there would be no such adverse effect generated. The scheme is therefore considered to be in accordance with the relevant Policies contained in the Core Strategy and the Development Management Policies DPD as well as Part 12 of the NPPF.

7 Recommendation

Approve subject to the following conditions:

1. Development to be commenced within 3 years;
2. Development to be carried out in accordance with submitted plans;

3. Submission of material samples prior to commencement ;
4. Approval of balcony balustrading treatment;
5. Approval of construction detail for eaves on southern roof plane and the junction between the new piers and the existing wall;
6. Restriction of the use of the building to purposes incidental to the occupation and enjoyment The Old Maltings as a single private dwelling house and preventing its use for any business, commercial or industrial purposes;
7. Removal of any permitted development rights.

8 Reason for Recommendation

In the opinion of the Local Planning Authority the development proposed is in accordance with Policies CS1 Landscape Protection and Enhancement CS4 Creation of New Resources and CS5 Historic and Cultural Environments of the Core Strategy, Policies DP4 Design, DP5 Historic Environment and DP28 Amenity of the Development Management Policies DPD and Part 12 of the NPPF.

Background papers: BA/2018/0025/COND and BA/2018/0026/ COND

Author: Alison Cornish
 Date of report: 4 May 2018
 Appendices: Appendix 1 – Map



Reference:

BA/2018/0112/CU

Location

The Croft, Romany Road, Oulton Broad, Lowestoft

BA/2018/0112/CU



Application for Determination
Report by Planning Officer

Parish	Oulton Broad		
Reference	BA/2018/0112/CU	Target date	05 June 2018
Location	The Croft, Romany Road, Lowestoft		
Proposal	Change of use of outbuilding to holiday let.		
Applicant	Mr Sean Roberts		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Objections received		

1 Description of the Site and Proposals

- 1.1 The application site is in Oulton Broad and is located on the north-western side of the Broad. This side of Oulton Broad is characterised by detached residential properties set back behind long gardens running down to the Broad, with smaller boathouses and garden buildings on the fringes of the Broad itself. A substantial belt of trees of mixed varieties amongst and behind the houses is a prominent feature.
- 1.2 The application site itself comprises a detached building within the curtilage of The Croft, situated off Romany Road. It is accessed from Romany Road by a part hardsurfaced/part unmade track which also forms a public right of way (Footpath 33). The Croft is a detached residential dwelling of comfortable proportions situated to the eastern end of a 90m x 40m plot which adjoins Oulton Broad at its western end and enjoys good views over the water. The detached single storey building was built in the curtilage as a garage for the property, probably in the 1970s. It has been extended in the past and converted to provide residential accommodation ancillary to The Croft under a 2001 planning permission, being restricted to this ancillary use by planning condition.
- 1.3 From approximately 2008 until 2010 the detached building was used for separate self-catering holiday accommodation, contrary to the 2001 planning permission. An application for the regularisation and continuation of this use was refused. Subsequent to this there was an appeal against an enforcement notice to rectify the breach of planning which was dismissed. The Inspector was not satisfied that it would be acceptable to revert to the 2001 ancillary

residential use so subsequent to the appeal an application was received to convert the building to an office with a small bedsit, this was approved in 2011. It is noted that the approved layout only broadly conforms to the approved plan, a link between the two previously separated elements has been provided, and the use is no longer shown as office and bedsit, however, as the building does not appear to be in use there is no current breach of planning.

- 1.4 The site is within the Oulton Broad Conservation Area. The majority of the site is outside of flood zones 2 and 3; this includes the dwellinghouse and subject outbuilding.
- 1.5 The application proposes to utilise the outbuilding as self-contained holiday accommodation. The submitted plans show that the use of the rooms as existing would not change but that a glass partition would be removed. The building would provide open plan living/dining/kitchen/bedroom accommodation and a bathroom. Parking for the site would be provided adjacent to the formal entrance to the site on an area within the applicant's ownership. There are no proposed alterations to the external appearance of the building.

3 Site History

BA/2015/0266/HOUSEH - Proposed external changes to existing dwelling comprising of the provision of horizontal timber board cladding to walls at first floor level to rear (west) and both flanks (north and south), the creation of new ground floor openings to rear (west) and the provision of an array of solar panels on rear (west) roofslope. Provision of an enlarged area of porous-surfaced hardstanding adjacent to vehicular entrance. Approved with conditions, October 2015.

BA/2011/0188/FUL - Retrospective external and internal alterations to existing outbuildings. Approved with conditions, August 2011.

BA/2010/0003/ENF - Appeal against Enforcement Notice. Dismissed, November 2010.

BA/2010/0020/BOCP3 - The carrying out of unauthorised development (namely the conversion of the Garage from domestic garage use into a detached, self-contained unit of residential accommodation) without the benefit of planning permission required in that behalf. Enforcement Notice issued.

BA/2009/0181/CU - Change of use of residential annexe to use as residential annexe and holiday let. Refused, October 2009.

BA/2001/6235/HISTAP - Part conversion of garage to living accommodation and single storey extension. Approved with conditions, April 2001.

BA/2000/6234/HISTAP - Conversion of existing garage to living accommodation and construct new detached double garage. Refused, January 2001.

BA/1996/6233/HISTAP - Construct garage / workshop with playroom over. Refused, October 1996.

BA/1991/6232/HISTAP - Extend existing garage to form workshop / boat store. Approved with conditions, November 1991.

4 Consultation

Parish Council - We have the following observations to support our recommendation of objection.

The owner access the site by a footpath. Why has the BA not linked the previous applications to this one? BA/2015/026HOUSEH and BA/2011/0188/FUL.

".... the site will need to be monitored to ensure that the annex is not adapted to a self contained unit... " If this was stated in BA/2011/0188/FUL then why are we looking at the application? How has it got this far?

SCC Highways - This proposal is unlikely to have any impact on the highway network in terms of vehicle volume or highway safety. Therefore, Suffolk County Council does not wish to restrict the granting of permission.

Representations

Three objections were received which are summarised as follows:

- Impact on neighbouring amenity through increase in traffic.
- Past experience of this use has infringed on neighbouring privacy and our amenity.
- Increased vehicular use of footpath access.
- Use as holiday let in a residential area is out of character within the locality.
- There is a very clear and established policy in regard to infill of waterside properties in the conservation. The proposal is clearly 'infill by stealth'.
- There are established and extensive holiday developments on the South side of Oulton Broad.

In addition, the applicant has supplied letters in support of the application as follows:

James Reeder - County Councillor for Oulton Division

1 letter from a local resident dated 2017.

2 letters from local residents dated 2009.

1 from previous visitors and an extract from a visitor's book.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application. [NPPF](#)
[Core Strategy Adopted September 2007 pdf](#)

Core Strategy (adopted 2007)

CS9 - Sustainable Tourism

CS11 - Sustainable Tourism

CS24 - Residential Development and the Local Community

Development Management Policies DPD (adopted 2011)

[Development-Management-DPD2011](#)

DP11 - Access on Land

Site Specific Policies Local Plan (adopted 2014)

OUL1 - Development Boundary (Oulton Broad)

- 5.2 The following Policies have been assessed for consistency with the NPPF and has found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Development Management Policies DPD (adopted 2011)

DP14 - General Location of Sustainable Tourism and Recreation Development

DP15 - Holiday Accommodation - New Provision and Retention

DP28 - Amenity

Neighbourhood Plans

- 5.3 There is no Neighbourhood Plan in force in this area.

6 Assessment

- 6.1 The application is for a change of use of the existing detached building as a self-contained unit providing holiday accommodation. The application is to all intents and purposes a resubmission of the application BA/2009/0181/CU which was refused for the following reasons:

- The site lies outside of the development boundary where the principle of the creation of a separate unit of accommodation, albeit for seasonal holiday use, is contrary to saved Policy H2 of the Adopted Broads Local Plan and Policy CS24 of the Adopted Core Strategy.
- The site lies outside of the development boundary and the proposal does not make a significant improvement to the character and appearance of

the building and its setting and the proposal is contrary to saved Policy H7 of the Adopted Broads Local Plan.

- The site lies in an area of predominantly residential character where the creation of an additional and separate unit, particularly one used for holiday accommodation, would generate an increased level of activity which, combined with the additional domestic paraphernalia, would introduce unacceptable levels of noise and disturbance into the area and therefore have an adverse impact upon that character in conflict with saved Policy TR11 of the Adopted Broads Local Plan
- The proposed development would intensify the use of an existing public footpath potentially impairing the safety of members of the public. Contrary to saved policy TC8 of the Adopted Broads Local Plan.

6.2 The main issues in the determination of this application are the principle of the development, the impact on local character and neighbour amenity, and access.

Principle of development

6.3 The Broads Authority has defined development boundaries which are identified as settlements with local facilities, high levels of accessibility, and where previously developed land would be utilised. Planning policy seeks to site new residential and holiday accommodation within these development boundaries. This approach was applied to the previous application (ref BA/2009/0181/CU) and as the site lay outside of any development boundary as identified in the local plan documents which were current at the time of consideration (the Broads Local Plan 1997), the location formed two of the four reasons for refusal.

6.4 Since the previous application the Broads Local Plan 1997 has been replaced by the Development Management Policies DPD and the Site Specifics Policy DPD. This ushered in a substantial change in criteria for assessing development boundaries, it had a significant effect at village level, but also contributed to the redrawing of development boundaries at certain larger conurbations within the Broads area, which included Oulton Broad. The upshot of this is that the subject site is now within the Oulton Broad development boundary, and therefore the proposal would accord with Policy DP14 of the Development Management Policies DPD, and Policy OUL1 of the Site Specifics Policy DPD. This is considered to have overcome reasons 1 and 2 of the previous refusal.

6.5 Under Policy OUL1 the development boundary has been drawn to generally exclude the edge of the broad in order to discourage building on the waterfront for flooding and landscape reasons. It is noted that the subject building is sited to the rear of the site (close to the access track) and adjacent to the existing dwellinghouse, this has ensured that the building does not have a detrimental impact on the setting and character of the broad, and in this respect accords with Policy OUL1.

- 6.6 The provision of new holiday accommodation is assessed against Policy DP15 of the Development Management Policies DPD which provides 4 specified measures. Under criterion (a) it must accord with Policy DP14 in being a sustainable location, this assessment having been provided in the preceding paragraphs of this report. Criterion (b), (c), and (d) require the accommodation to be for short stay holiday occupation only, available for a substantial period of the year, not occupied by the same people, and that a register of booking is maintained at all times and available for inspection. These requirements are commonly secured by planning condition, the inclusion of which ensures that the proposal would accord with Policy DP15.
- 6.7 With regard to the above assessment it is considered that the principle of providing holiday accommodation at an existing building in this location is acceptable with regard to Policies DP14 and DP15 of the Development Management Policies DPD, Policy CS24 of the Core Strategy, Policy OUL1 of the Site Specifics Policy DPD, and the NPPF.

Character and amenity

- 6.8 The third reason for refusal of the previous application for conversion of the outbuilding to holiday let centred on the increase in activity at the site and additional domestic paraphernalia resulting in unacceptable levels of noise and disturbance. This reason cited Policy TR11 of the Broads Local Plan which considered the provision of holiday accommodation outside of development boundaries. Although it is noted that this redundant policy would not apply to the current proposal as the location is now within a development boundary, the purpose of that policy was to consider impacts on the amenity and character of the area which are still relevant to this type of application.
- 6.9 It is accepted that the location has a low density residential character. However in including the area within a development boundary it must be anticipated that proposals for additional habitable accommodation would be forthcoming and such proposals would have some level of impact on density levels. In considering the Oulton Broad development boundary it is noted that many of the sites do not have a layout which would be conducive to the provision of additional habitable accommodation, this in itself would contribute to maintaining reasonably low density levels. Each application must be considered on its own merits and in this case it would be reasonable to provide holiday accommodation at this location without unacceptably impacting on density levels. The site layout is acceptable, it maintains a proximity and relationship of built form, and the provision of accommodation is insignificant when considering the size of the majority of properties in this area.
- 6.10 Turning attention to neighbouring amenity, taking into account the location and scale of the holiday unit, the separation to neighbouring dwellings, the existing boundary treatments, and the orientation of the building, whilst there would be some increased level of activity at the site, it is not considered that this would be to a level which would be detrimental to the amenities or privacy

of neighbouring residents and in this respect the proposal is considered acceptable.

- 6.11 It is projected that the majority of visitors to the site would arrive by car. In consultation responses neighbours have raised the issue of impact on their amenity through the increase in vehicle movements. The level of accommodation to be provided is modest with only a single bedroom in a mostly open layout. On this basis it would be reasonable to assume that only one vehicle would visit the site per booking. The access track is narrow which would ensure low vehicle speeds. Whilst there would be some increase in noise due to additional vehicle movements to and from the site it is considered that these would not be at a level which would result in an unacceptable impact on neighbour amenity.
- 6.12 It is proposed to remove Permitted Development rights for the holiday use unit in order to ensure that the level of accommodation is not increased without assessment by the Local Planning Authority. The limited level of accommodation proposed is central to the acceptability of this use and any proposed intensification must be afforded due consideration.
- 6.13 With regard to the above assessment it is considered that the proposed holiday accommodation would not have an unacceptable impact on the character of the area or amenity of neighbouring residents with regard to Policies DP14 and DP28 of the Development Management Policies DPD, and Policy CS9 of the Core Strategy.

Highway safety and access

- 6.14 Access to the site is unusual in that it requires use of a footpath with Public Right of Way status. This footpath is well used locally by residents from Borrow Road and Romany Road accessing the Broad. As noted in the assessment of the previous application, 'DEFRA Rights of Way Circular (1/08) sets guidance for Local Planning Authorities and discourages developers from using footpaths, bridleways or restricted byways for vehicular access'. It was further noted in that report that the applicant has existing rights to use the footpath as a vehicular access to The Croft. The state of the access formed the basis of the fourth reason for refusal.
- 6.15 There is no way to provide private parking at the site without using the footpath access. The footpath in question can comfortably accommodate a car but this is about the limit of its width. It does have the appearance of a vehicle access, and in being utilised predominantly by local residents it could be argued that users will be aware of the custom of its usage and would be well versed in the possibility of a car sharing the footpath. The applicants do have the right to use the footpath for vehicle access to their property. The track is hardsurfaced from the junction with Romany Road as far as the subject site and then noticeably changes type and appearance once past the entrance to the site. The hardsurfaced element is visibly worn in the same way as a vehicle access which helps to inform footpath users of the shared nature of this section of the track. The site is approximately 100 metres from

Romany Road and provision is made for parking off the footpath. The Highway Authority have raised no objection and it is noted that visibility at the entrance to the access is reasonable to allow for safe access on to the public highway.

- 6.16 The DEFRA guidance is noted and does seek to discourage vehicular access using footpaths. In this specific case the footpath is already in use by the applicants for vehicle access to their site, so whilst there would be an increase in use of the access the type of development proposed would not result in a significant amount of additional traffic using the access. Nor would the proposed use of the access be uncharacteristic taking into account the existing use of the access. It is therefore considered that whilst the DEFRA guidance is acknowledged it would not be reasonable to refuse this application on access grounds alone taking into account the existing use and the level of additional use proposed.
- 6.17 As with paragraph 6.12 above, it is considered that the removal of Permitted Development rights would ensure that any intensification of use and potential for an increase in vehicles utilising the footpath is carefully considered by the Local Planning Authority.
- 6.18 The proposed parking area is adequate for one vehicle, however the narrow width of the access track make manoeuvring partly reliant on the width of the parking area. If two cars utilise the parking area then any vehicle movement will become problematic, and visibility would be reduced which has the potential to impact on the safety of members of the public. A restriction on the use of the parking area also contributes to minimising the number of vehicle movements along the track. With this in mind it is considered appropriate to limit the parking in the area shown on the submitted plan to one car only, secured by planning condition.
- 6.19 With regard to the above assessment it is considered that, taking into account the existing situation, the proposed increase in vehicle use of the footpath to access the site would not unduly impact on the safety of members of the public with regard to Policy DP11 of the Development Management Policies DPD.

7. Conclusion

- 7.1 The proposed change of use of the existing outbuilding to holiday use, taking into account the change in planning policy with the adoption of the Development Management Policies DPD and the Site Specifics Policy DPD and resulting inclusion of the site within the Oulton Broad development boundary, is considered to have sufficiently overcome the previous reasons for refusal of such a proposed use. The level of accommodation proposed would not be detrimental to the character of the area or the amenity enjoyed by neighbouring residents. The access along a footpath is considered to be reasonable taking into account the existing use and expected increase in the degree of this use.

8. Recommendation

Approve subject to conditions as follows

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Parking area for one vehicle only;
- iv. Lighting scheme to be agreed;
- v. Restriction on use - type of use, duration of stay, register of bookings; and
- vi. Remove permitted development rights;

9. Reason for Recommendation

The proposal is considered to be in accordance with Policies CS9 and CS24 of the Core Strategy (2007), Policies DP11, DP14, DP15 and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

List of Appendices: Location Plan

Background papers: Application File BA/2018/0112/CU

Author: Nigel Catherall

Date of Report: 09 May 2018



Enforcement Update
Report by Head of Planning

Summary: This table shows the monthly updates on enforcement matters.

Recommendation: That the report be noted.

1 Introduction

1.1 This table shows the monthly update report on enforcement matters.

Committee Date	Location	Infringement	Action taken and current situation
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> • Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should the enforcement notice not be complied with • Planning Contravention Notice served • Negotiations underway • Planning Application received • Planning permission granted 12 March 2015. Operator given six months for compliance • Additional period of compliance extended to end of December 2015 • Compliance not achieved. Negotiations underway • Planning Application received 10 May 2016 and under

Committee Date	Location	Infringement	Action taken and current situation
			<p>consideration</p> <ul style="list-style-type: none"> • Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required • Application for extension submitted 10 July 2017, including comprehensive landscaping proposals (BA/2017/0237/FUL) • Further details under consideration. • Application approved and compliance to be monitored in autumn • In monitoring programme
3 March 2017	Burghwood Barns Burghwood Road, Ormesby St Michael	Unauthorised development of agricultural land as residential curtilage	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the reinstatement to agriculture within 3 months of the land not covered by permission (for BA/2016/0444/FUL; • if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution. • Enforcement Notice served on 8 March 2017 with compliance date 19 July 2017. • Appeal against Enforcement Notice submitted 13 April 2017, start date 22 May 2017 (See Appeals Schedule) • Planning application received on 30 May 2017 for retention of works as built. • Application deferred pending appeal decision. • Application refused 13 October 2017 • Appeal dismissed 9 January 2018, with compliance period varied to allow 6 months. • Compliance with Enforcement Notice required by 9 July 2018. • Site inspected on 21 February in respect of other

Committee Date	Location	Infringement	Action taken and current situation
			<p>conditions.</p> <ul style="list-style-type: none"> • Site monitoring on-going, with next compliance deadline 31 March 2018 • Site inspected 8 May 2018. Compliance underway in accordance with agreed timescales. Next monitoring scheduled for July 2018.
<p>31 March 2017</p> <p>26 May 2017</p>	<p>Former Marina Keys, Great Yarmouth</p>	<p>Untidy land and buildings</p>	<ul style="list-style-type: none"> • Authority granted to serve Section 215 Notices • First warning letter sent 13 April 2017 with compliance date of 9 May. • Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued. • Monitoring • Further vandalism and deterioration. • Site being monitored and discussions with landowner • Landowner proposals unacceptable. Further deadline given. • Case under review • Negotiations underway
<p>5 January 2018</p>	<p>Barnes Brinkcraft, Riverside Estate, Hoveton</p>	<p>Non-compliance with planning condition resulting in encroachment into navigation of moored vessels</p>	<ul style="list-style-type: none"> • Authority given to negotiate solution • Meeting held 17 January and draft scheme to limit vessel length agreed in principle. Formal confirmation awaited. • Report to Navigation Committee on 22 February 2018 • Planning application required

Committee Date	Location	Infringement	Action taken and current situation
23 March 2018	Rear of Norfolk Broads Tourist Information and Activity Centre 10 Norwich Road Wroxham	Unauthorised development: free standing structure and associated lean-to.	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of the freestanding structure and associated lean- to with a compliance period of 6 months. • Enforcement Notice served 3 April 2018, with compliance date of 3 October 2018.
27 April 2018	Land north of Bridge Cottage, Ludham	Unauthorised retention of hardstanding and structures, plus erection of workshop	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring removal of the all unauthorised uses on site, the unauthorised hardstanding and removal of all the unauthorised structures including the fence surrounding the site, the shed, portacabin and shipping container and restoration of the land in accordance with condition 7 of planning permission BA/2009/0202/FUL with a compliance period of 3 months. • Enforcement Notice served 3 May 2018, with compliance date of 14 September 2018

2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files
 Author: Cally Smith
 Date of report: 9 May 2018
 Appendices: Nil

Consultation Documents Update and Proposed Responses

Report by Planning Policy Officer

Summary: This report informs the Committee of the Officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.

Recommendation: That the report be noted and the nature of proposed response be endorsed.

1 Introduction

1.1 Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.

1.2 The Committee's endorsement, comments or guidance are invited.

2 Financial Implications

2.1 There are no financial implications.





Background papers: None

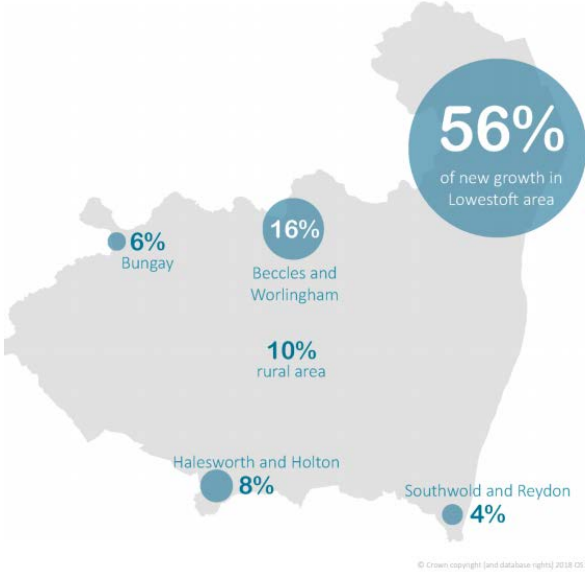
Author: Natalie Beal

Date of report: 11 May 2018

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received

Planning Policy Consultations Received

ORGANISATION:	Waveney District Council
DOCUMENT:	Pre-Submission Local Plan
LINK	http://consult.waveney.gov.uk/consult.ti/waveneyfinaldraftlocalplan2018/consultationHome
DUE DATE:	24 May. Planning Committee is after this date. WDC asked that we send in the comments within the timeframe of the consultation and state that they are then to be ratified at Planning Committee.
STATUS:	Publication version out for pre-submission consultation.
PROPOSED LEVEL:	Planning Committee endorsed.
NOTES:	<ul style="list-style-type: none"> Waveney District Council is preparing a new Local Plan for the District (excluding the Broads Authority area). This document is the final publication draft of the new Local Plan. The Local Plan sets out the level of growth which needs to be planned in the Waveney area and identifies where that growth should be located and how it should be delivered. The Plan sets out the planning policies which the Council will use to determine planning applications in the Waveney area. The new Local Plan for Waveney will cover the period 2014-2036. <div style="text-align: center;"> <p style="font-size: small;">  535 Homes already completed (2014-2017)  2,498 Homes with planning permission (not allocated in this Local Plan)  6,214 Homes planned for in this Local Plan  9,235 New homes 2014-2036 </p> </div> <ul style="list-style-type: none"> As of April 2017, 3,033 homes have been completed or have permission and are expected to complete within the plan period. This gives a residual need of 5,190 new homes that need to be planned for in this Local Plan. Policy WLP1.1 makes clear that housing targets are minimums. Location of growth:

	 <ul style="list-style-type: none"> • Employment land development will be focused mainly in Lowestoft and Beccles and distributed approximately as follows: <ul style="list-style-type: none"> ○ Lowestoft Area - 60% of employment land development ○ Beccles - 25% of employment land development ○ Other Market Towns and Rural Areas - 15% of employment land development • The policies map is interactive and is found here: http://eastsuffolk.maps.arcgis.com/apps/webappviewer/index.html?id=fa885f1dc80d4bbc8ada7bcd13a43471
<p>PROPOSED RESPONSE:</p>	<p><u>Introduction</u> The Local Plan is well presented and well written. It is set out in a logical manner. The use of interactive policies maps is welcomed. The Broads Authority does have comments on the Local Plan.</p> <p><u>Main comments</u></p> <ul style="list-style-type: none"> • WLP2.1 –The Broads Authority needs to be listed as a stakeholder because part of the OB District Centre is in our area and we have resolved to have similar policies for the Centre in recognition of the fact that Local Planning Authority borders are arbitrary and also to reflect that Mutford Lock which is owned and run by the Broads Authority is the ‘back stop’ to the Lowestoft Flood Risk Management Project that is designed to benefit the area. As written it is not effective as the Broads is a cross boundary strategic priority and this particular issue relies on joint working. • 8.84 says ‘The Framework places strong protection on national designations such as the Area of Outstanding Natural Beauty and the Heritage Coast’. The Broads is not mentioned and considering the Broads is an asset to the area and that development outside of the Broads could impact the Broads, please add the Broads to the list. As written it is not consistent with National Policy and is not effective as the Broads is a cross boundary strategic priority. • WLP8.27 – the supporting text refers to landscape impact and impact on areas outside of Waveney District and mentions the Broads, yet within the policy, there is no criteria that refers to impact on protected landscapes. This needs to be rectified. Suggest a third bullet point that says ‘There are no adverse impacts on

important landscapes of the Broads and AONB'. The Broads' Landscape Sensitivity Study is of relevance to this policy as it refers to sensitivity from solar farms and wind turbines not just within the Broads, but nearby. As written it is not consistent with National Policy and is not effective as the Broads is a cross boundary strategic priority.

Factual inaccuracies

- Page 2: 'For the Waveney area, the objectively assessed need for the Broads Authority area is 57 dwellings between ~~2012-2015~~ and 2036'.

Queries/comments

- WLP1.4 – wording varies from strong terms such as 'must' and 'will be expected to' to the weaker term of 'should'. Is that purposeful? Is it intended to mean that, for example, open space and schools *may be* needed? If they are definitely needed, perhaps the wording needs to be stronger like in other areas of the policy. This is of relevance to the Broads as we defer/refer to the open space requirements of our districts – so your policy on open space is also our policy. The comment applies to the use of the term 'should' throughout the document.
- WLP1.4 says 'Development will not be permitted where it would have a significant effect on the capacity of existing infrastructure, and therefore potential risks to the natural environment which cannot be mitigated'. Then goes on to specifically refer to water and waste water recycling. What other types of infrastructure does this sentence refer to?
- Page 40 – do the figures in the table include the permission at Pegasus in our area? It might be worth cross referring to that permission/allocation in the Local Plan? It is for around 76 dwellings and office space.
- Page 47, box number 21. Is it prudent to say that part of the district Centre is within the Broads and there is a related policy in the Broads Local Plan that is consistent with your approach to the area?
- 2.16 refers to 'flood evacuation plans' (and this term is used throughout the document). When producing our Flood Risk SPD, it became apparent that sometimes it is more appropriate to stay in place rather than evacuate and therefore we refer to 'flood response plans'. We note that in WLP8.24 there is reference to 'emergency flood plan'.
- Page 209 – residential annexes. We have a similar policy but have called it 'residential ancillary accommodation'. This title defines that the accommodation is ancillary to the main dwelling. We have done this as the term annexe is not defined in planning.
- WLP8.28 – 'All new residential development in the District should achieve the optional technical standard in terms of water efficiency of 110 litres/person/day unless it can be demonstrated that it is not viable or feasible to do so'. This is quite confusing. It uses the weak term 'should' and then refers to 'optional' and then there are two ways to effectively get out of the requirement. So what is the starting point? That all new residential development must be designed to 110l/h/d unless it can be demonstrated that it is not viable or feasible to do so? If so, this could be clearer. What are the feasibility issues that could come about in relation to this?
- Natural Environment section, page 255. Could include similar wording to the open

	<p>space section which says that sites within the Broads are protected in the Local Plan for the Broads.</p> <ul style="list-style-type: none"> • 8.202 does not seem to end or conclude with anything. Suggest it needs to say something like ‘...and these documents may be of relevance to scheme proposals near to the boundary with the Broads and developers/promotes should refer to them’. Note that something like this is stated in 8.206. Can we ask for an indication that applications which have significant potential to impact the Broads may need to be accompanied by a Landscape Visual Impact Assessment? • 8.202 ‘Within the District, the area along the Waveney Valley is adjacent the Broads National Park’. This seems a little confusing and could be revised to make it clearer that part of the Broads lies within Waveney District. • WLP8.35 – whilst the sentiment of protecting dark skies is very much welcomed, the use of the word should be weak – see previous comments on the use of this term. Is there scope to strengthen this sentence? • 8.205 <i>The existing public rights of way network is fragmented in many locations and development proposals should consider how they could enhance public footways to benefit the network in the long-term.</i> This is more about access rather than landscape character and perhaps needs its own separate paragraph/section? • 8.205 refers to ‘strength of place’ - ‘sense of place’ would seem to be more appropriate. • 8.206 <i>‘The Policy also gives specific protection from significant impacts on those landscapes which provide a setting which are outside of the designated areas the Broads and the Area of Outstanding Natural Beauty but provide a contribution to the setting of those areas’.</i> We support this, but it seems clunky. Is this what you are trying to say...? <i>The Policy also gives specific protection from significant impacts on to those landscapes areas which provide a setting to, which but are outside of, the designated areas-landscapes of the Broads and the Area of Outstanding Natural Beauty but as these areas provide a contribution to the setting of those designated areas-landscapes’.</i> • 8.210 and Archaeology section – the entire Broads area is an area of exceptional waterlogged. <p><u>Typographical errors</u></p> <ul style="list-style-type: none"> • 1.14 – missing a full stop • Section 2.3 – ‘A further issue is to manage and limit to coalescence of the town with surrounding villages such as Blundeston, Corton, Gisleham, Hopton (in Norfolk) and Kessingland to ensure each settlement retains its individual identity’. • Section 2.13 – ‘However, it carries forward many of the proposals in order to ensure a planned approach to the regeneration of Central Lowestoft is achieved’. • 8.102 – ‘In coming to a view of whether a proposal would result in a concentration of non a1 A1 or A3 uses the...’ • WLP8.22 – This does not make sense to me: ‘Proposals to change the use or redevelop for a different use existing built community facilities which are not registered as an asset of community value will only be permitted if...’ • 8.156 – ‘Renewable and low carbon energy developments can also have an affect effect on amenity of residents, visitors and workers nearby through, noise, smell, shadow flicker and glare’. • WLP8.34 – ‘The Council will work with neighbouring authorities and Natural England to develop a this strategy’.
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ORGANISATION:	South Norfolk District Council
DOCUMENT:	Draft Open Space Supplementary Planning Document
LINK	https://www.south-norfolk.gov.uk/residents/have-your-say/consultations/open-space-spd-consultation
DUE DATE:	5 June 2018
STATUS:	Draft
PROPOSED LEVEL:	Planning Committee endorsed.
NOTES:	<ul style="list-style-type: none"> • The SPD is intended to provide more detailed guidance to assist with the interpretation and application of South Norfolk Local Plan Policy, specifically Policy DM3.15. • It is of relevance to the Broads Authority as our emerging open space policy in our new Local Plan will have regard to the standards and approach taken by our districts to open space. • The types of open space covered in the SPD are formal play, open space, pitches and courts and informal open space. • It is important to note that South Norfolk will not adopt or maintain new open space going forward; this is something that Parish/Town Councils, Community Associations or Management Companies need to do.
PROPOSED RESPONSE:	<p>Only minor comments:</p> <ul style="list-style-type: none"> • Page 8, Policy Context – is it prudent to mention the Broads Authority’s emerging policy here? Note that it is mentioned in the footnote on page 7. • Page 14, paragraph 11 – ‘development developers’. Does not read well. • Page 27 – SuDS. Is it prudent to refer to the hierarchy of SuDS and the NPPG and NPPF and other guidance that exists? • Page 28, paragraph 1. ‘..ecology and biodiversity promote green infrastructure connectivity.’ Missing an ‘and’?

Decisions made by Officers under Delegated Powers
Report by Head of Planning

**Broads Authority
Planning Committee**

25 May 2018

Agenda Item No.12

Summary: This report sets out the delegated decisions made by officers on planning applications from 11 April 2018 to 08 May 2018
Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
Ashby, Herringfleet And Somerleyton PC				
BA/2018/0090/HOUSEH	Woodland St Margarets St Olaves Road Herringfleet Suffolk NR32 5QS	Mr Justin Block	Single storey extensions and alteration of existing window to entrance door.	Approve Subject to Conditions
Beccles Town Council -				
BA/2018/0078/HOUSEH	The Ship Bridge Street Beccles NR34 9BA	Mr N Garrod	Replace two windows with glazed doors and gable frame. Re-roof coach house. First floor balcony.	Approve Subject to Conditions
Broome Parish Council				
BA/2018/0071/FUL	Plot 2 Broome Marshes	Mr Matthew Plummer	Pond.	Approve Subject to Conditions
Dilham Parish Council				
BA/2018/0070/FUL	Canal Camping Honing Road Dilham NR28 9PL	Mr L Paterson	Change of use of additional land to campsite and extended open season.	Approve Subject to Conditions
East Ruston Parish Council -				
BA/2018/0011/HOUSEH	The Cottage South Fen East Ruston NR12 9JP	Mr J Payne	Proposed conservatory to Southern elevation, catslide dormer window to Northern roofslope, door opening in Western gable end at first floor level, Car-port/Shed outbuilding.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Honing And Crostwick Parish Council				
BA/2018/0062/OUT	The Homestead Lock Road Honing NR28 9PJ	Mr A Clinton	Three new holiday cottages	Refuse
Horning Parish Council -				
BA/2018/0097/HOUSEH	Marina Outlook Ferry Marina Ferry Road Horning Norfolk NR12 8PS	Mr Christopher Hill	Replacement windows, doors and balustrade to upvc, and installation of bifold doors to balcony.	Approve Subject to Conditions
Hoveton Parish Council -				
BA/2018/0031/FUL	Fudge Factory 1 Riverside Centre Norwich Road Hoveton Norfolk NR12 8AJ	Mr Callum Grey	1 fascia sign and blind illuminated by LED lamps on road elevation, 2 fascia signs and blinds illuminated by LED lamps on walkway elevation and new entrance door.	Approve Subject to Conditions
BA/2018/0094/ADV	Barnes Brinkcraft Ltd Riverside Road Hoveton Norfolk	Barnes Brinkcraft Ltd	Replacement sign	Approve Subject to Conditions
BA/2018/0093/HOUSEH	The Wilderness Meadow Drive Hoveton NR12 8UN	Ms S Myhra	Garage/workshop.	Approve Subject to Conditions
BA/2018/0081/ADV	Helliwell House Station Road Hoveton Norfolk NR12 8UR	Lindsay Little	Installation of trough light to previously approved advertisement.	Approve Subject to Conditions
Ludham Parish Council -				
BA/2018/0074/COND	Land At The Manor Staithe Road Ludham Norfolk NR29 5AB	Mr Simon Brown	Variation of condition 2: approved plans of BA/2015/0148/FUL	Approve Subject to Conditions
BA/2018/0085/HOUSEH	5B North West Riverbank Potter Heigham Norfolk NR29 5ND	Mr Michael Iles	Retrospective external cladding and 8 No. windows.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2018/0075/APPCON	Land At The Manor Staithe Road Ludham Norfolk NR29 5AB	Mr Simon Brown	Details of Conditions 6: bat boxes and 7: roof materials of BA/2015/0148/FUL.	Approve
Rollesby Parish Council				
BA/2018/0038/HOUSEH	Lancelot House Court Road Rollesby Norfolk NR29 5ET	Mr Richard Guyton	Retrospective application for outbuilding, alterations to barn and land raising.	Approve Subject to Conditions
Somerton Parish Council				
BA/2018/0063/HOUSEH	Primary House Horsey Road West Somerton Somerton NR29 4DW	Mr & Mrs Lydka	Replacement conservatory	Approve Subject to Conditions
Thurne Parish Council				
BA/2018/0067/FUL	Lion Inn Public House The Street Thurne NR29 3AP	Mr Ian McFadyen	Sewage treatment unit.	Approve Subject to Conditions
Wroxham Parish Council -				
BA/2017/0425/COND	Garages Adjacent To Beech Road Wroxham Norwich Norfolk	Mr And Mrs T Barrett	Variation of condition 2: approved plans, of BA/2013/0389/FUL.	Approve Subject to Conditions