

Planning Committee

AGENDA

Friday 9 November 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 12 October 2018 (herewith) | 3 – 13 |
| 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:**
- | | |
|---|---------|
| • BA/2018/0364/COND - Ice House, The Shoal, Irstead | 14 – 24 |
| • BA/2018/0149/FUL Broadlands Marina, Marsh Lane, Oulton Broad - site visit | 25 –31 |

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<ul style="list-style-type: none"> • BA/2018/0390/FUL Hippersons Boatyard, Gillingham Dam, Gillingham 	32 – 40
9. Enforcement Update Report by Head of Planning (included)	41 – 45
10. Waveney Strategic Flood Risk Assessment Report by Planning Policy Officer (included)	46 – 50
11. Wroxham Neighbourhood Plan – Proceeding to Publication Report by Head of Planning (covering report included, detailed report to follow)	51 - 52
12. Literature Review: Broads Landscape Sensitivity Study for Renewables and Infrastructure Report by Planning Policy Officer (included)	53 – 61

MATTERS FOR INFORMATION

13. Appeals to the Secretary of State Update Report by Administrative Officer (included)	62 – 63
14. Decisions made by Officers under Delegated Powers Report by Head of Planning (included)	64 – 67
15. To note the date of the next meeting – Friday 7 December 2018 at 10.00am at Yare House, 62-64 Thorpe Road, Norwich NR1 1RY	

Broads Authority
Planning Committee

Minutes of the meeting held on 12 October 2018

Present:

In the Chair – Mr Bruce Keith

Mr M Barnard
Mr W A Dickson
Ms G Harris
Mrs L Hempsall

Mr P Rice
Mr H Thirtle
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr B Hogg – Historic Environment Manager (Minutes 3/12 – 3/13)
Ms C Smith – Head of Planning
Ms P Smith – Historic Environment Consultant (Minute 3/12)
Mrs M-P Tighe – Director of Strategic Services

Ms Ruth Sainsbury – Planning Officer (for introductions)

Members of the Public in attendance to answer questions if required:

Somerton Conservation Area Reappraisal (Minute 3/12)

Mr Richard Starling On behalf of Somerton Parish Council

3/1 Apologies for Absence, Welcome and Housekeeping Matters

Bruce Keith (Vice-Chair) as Acting Chairman welcomed everyone to the meeting.

Apologies had been received from Melanie Vigo di Gallidoro (Chair), Jacquie Burgess and John Timewell.

The Openness of Local Government Bodies Regulations

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

3/2 Declarations of Interest and introductions

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

The Chairman welcomed Ruth Sainsbury Planning Officer to the Authority. The Authority contracted Ruth for a few months as a self-employed qualified Planner. She explained she was a Chartered Town Planner and had been a Senior Planning Officer at Broadland District Council for 17 years. At present, the main matter she was dealing with was the Marina Quays application at Great Yarmouth.

3/3 Minutes: 14 September 2018

The minutes of the meeting held on 14 September 2018 were agreed and the Chairman signed them as a correct record.

3/4 Points of Information Arising from the Minutes

(1) Minute 2/10 Marina Quays: (Also part of the report under Minute 3/9)

The Head of Planning reported that a number of objectors had convened a public meeting on 4 October 2018 to discuss the proposed development at Marina Quays in Great Yarmouth. Approximately 70 – 80 people attended the meeting where the developers described their proposals, the Authority's officers set out the planning process and there was an opportunity for questions. There was a wide ranging discussion with the main issues being access relating to highways and an existing public right of way, design and scale of the development, the moorings and how the boatyard would operate. The applicant was considering how to proceed and a report would be brought to the Committee in due course, although this was unlikely to be before December 2018.

(2) Matter arising from a previous meeting

The Chairman commented that he wished to report back to the Planning Committee on a decision taken at the last Broads Authority meeting because it was originally raised at a Planning Committee meeting on 23 June in 2017. The matter concerned the conduct of a member and a subsequent Code of Conduct Complaint. He stated:

'The Broads Authority resolved at its meeting on the 28th September 2018 :

- (i) to express its thanks to the Members of the Hearings Committee who had the task of dealing with the matter;
- (ii) to express its profound regret for the serious distress this issue has caused members of staff over a protracted period;
- (iii) to note that the investigation found that Officers did not in any way mislead the Planning Committee at all, far less "wilfully and deliberately", and that the Authority reaffirms its unqualified confidence in its officers.'

The Chairman stated that it would not be appropriate to discuss the matter and therefore it would now rest.

(3) **Minute 2/11 Lake Lothing Third River Crossing**

The Head of Planning reported that the Broads Authority's comments had been submitted to the Planning Inspector. As part of their case, Suffolk County Council wished to agree a Statement of Common Ground with the Authority. Officers would prepare this with the Chair of the Planning Committee.

3/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

3/6 Chairman's Announcements and Introduction to Public Speaking

Public Speaking

The Chair stated that as there were no planning applications for consideration there would be no public speaking.

3/7 Requests to Defer Applications and /or Vary the Order of the Agenda

The Chair proposed to vary the order of the Agenda to take Agenda Item 12 before item 9 to avoid the Chairman of Somerton Parish Council (Mr Richard Starling), having an unnecessary wait as he was attending specifically for the item on Somerton Conservation Area re-appraisal.

3/8 Applications for Planning Permission

There were no applications for planning permission to consider at this meeting.

In accordance with Minute 3/7 and Standing Order No 3 (2)(a) Agenda Item 12 was considered at this point in the meeting.

3/9 Enforcement Update

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

Burghwood Barns, Burghwood Road, Ormesby St Michael. The Breach of Conditions Notices had been issued concerning the non-compliance with conditions of BA/2018/0444/FUL and prosecution proceedings had commenced. The statements had been referred to Nplaw.

Barnes Brinkcraft, Riverside Estate, Hoveton. Following the granting of planning permission subject to conditions including a Management Plan, a draft Management Plan was being progressed.

Former Waterside Rooms, Station Road, Hoveton: Untidy land and Building.

The Section 215 Notices had been issued on 28 August 2018 with a compliance date of 28 October 2018. Officers had inspected the site and it appeared that 90% of the required compliance work had been carried out. Two contractors were on site to complete the work.

Members welcomed the progress made.

RESOLVED

that the report be noted.

3/10 Consultation Documents and Proposed Response : Great Yarmouth Local Plan

The Committee received a report on the recent consultation from Great Yarmouth Borough Council on its Draft Local Plan part 2 – Development Management Policies, Site Allocations and Revised Housing Target, together with the proposed response, upon which members comments were invited.

The Committee commended the detailed response prepared and thanked officers for the thoroughness in their examination.

The Chairman proposed the recommendation in the report and it was

RESOLVED unanimously

that the report is noted and that the proposed response be endorsed for submission to Great Yarmouth Borough.

3/11 Great Yarmouth Third River Crossing

The Committee received a report and presentation on the recent consultation on the planning application for the third river crossing across the lower Yare at Great Yarmouth submitted by Norfolk County Council. This development was a Nationally Significant Infrastructure Project (NSIP) and therefore the Planning Inspectorate would determine the application. It was noted that initial discussions for a third river crossing had been held in 2007. Substantial funding towards the crossing had now been secured from the Department of Transport in 2017. The crossing was to be sited towards the south-east of the town approximately 1 kilometre south of the Haven Bridge at one of the narrowest crossing points of the river. The scheme was intended to address existing traffic congestion problems and respond to the growth of both vehicular and waterborne traffic by improving access across the town, to the port and associated employment areas.

The design of the bridge had not yet been finalised although at present it was proposed as a double leaf bascule bridge with two scenarios. Option 1 was to have the counter weights below the bridge with option 2 having the counterweights above the bridge with significant vertical supports that would be permanently visible whether the bridge was in an open or closed position, making the bridge more visible. As part of the presentation, members were able to view a flyby video of the proposals illustrating both options. In these, both schemes illustrated mooring points either side of the bridge on the western side. The proposals included an extensive set of documents with various modelling of the traffic movements.

The Head of Planning commented that a full landscape assessment to assess the visual impact of the proposal was required by the Planning Inspectorate, although it was recognised that the final design had not yet been decided. Officers considered that from the information provided the impacts of Option 1 would have less of an impact on the Broads than Option 2 and it was suggested that this form part of the recommendation.

The Head of Planning drew attention to the detailed comments received. She explained that members of the Navigation Committee had been consulted. They appreciated being advised of the plans and would like the opportunity to be consulted at the next stage. The air draught was an important consideration for the boating community and they advised that this needed to be taken into account at the inception stage. It was noted that the air draught was 4.5 metres, particularly taking into account commercial traffic. The Navigation Committee comments and these along with the comments from this meeting would be forwarded to the Planning Inspectorate.

The Authority had also received a response from the Barge Association pointing out the importance of the non-commercial traffic and the need for facilities for visitors to the area. They also wished to receive more details on the opening of the bridges and synchronisation of the openings with the other bridges when required. The NSBA's comments particularly about lay by moorings were also pertinent.

The Head of Planning concluded that a third river crossing in Great Yarmouth could be welcomed in principle as it would help to address the issues of congestion and poor environment quality which impact adversely on the use and development of the town. The Navigation Committee was also satisfied that the proposal would not have an adverse impact on navigation, and therefore she asked members to consider the proposed response set out in the report.

Members expressed appreciation for the flyby video and were fully supportive of the third river crossing as set out by the Head of Planning. However, given that the design had not yet been finalised, they considered that it was premature and not appropriate to state preferences for either of the particular options currently proposed. The character of the proposed siting of the bridge was very much industrial and the need for the bridge was probably of greater

importance than the design at this stage. In addition, members considered the bridge could be a statement. It was considered its functionality was of greater importance and that it should not impede navigation.

As a result of the views expressed, the Chairman proposed that the recommendation in the report be accepted subject to the removal of (ii) which stated a preference for Option 1, and that the first bullet point related to adequate layby moorings form part of (i).

The proposal was seconded by Lana Hempsall and it was

RESOLVED unanimously

that the report is noted and the following views be forwarded to Norfolk County Council and the Planning Inspectorate:

The proposal to construct a third river crossing in Great Yarmouth is a scheme which can be welcomed in principle as it would help to address the issues of congestion and poor environmental quality.

- (i) The Broads Authority can confirm its 'in principle' support for the scheme subject to adequate layby moorings in the form of fixed pontoons to be provided upstream and downstream of the proposed new bridge
- (ii) The following matters should be taken into account and addressed in the development of the final scheme:
 - o Pontoon mooring to be provided upstream of Breydon Bridge to provide facility for yachts coming from Rivers Waveney and Yare to lower mast before passing through all Yarmouth bridges;
 - o Arrangements for the opening should be identified in the scheme, with provision made for the opening of all Yarmouth bridges to be coordinated to enable vessels to pass through them sequentially without having to moor;
 - o A Townscape and Visual Assessment (TVIA) should be provided and should include viewpoints from within the Broads area (to be agreed with the Broads Authority) and, where impacts are identified, should include suitable mitigation to reduce or avoid significant impact; and
 - o Provision for off-carriageway routes for pedestrian and cyclists be incorporated into the scheme, including improvement of links to the town centre and to the south to reinforce the historic and functional connections with the wider hinterland.

The following item was considered before Item 9.

3/12 Somerton Conservation Area Re-Appraisal

The Committee received a report and detailed presentation on the appraisal process for the Somerton Conservation Area (CA). This included three specific areas of both West Somerton and East Somerton. Although the area fell within both the Broads Authority and Great Yarmouth areas, the most densely developed part of the settlement fell within the Broads Authority Executive Area and therefore the Authority undertook the appraisal work and the consultation exercise in accordance with the Broads Authority's Statement of Community involvement. The Authority had worked closely with Great Yarmouth Borough Conservation Officers and there had been a long and collaborative consultation process with Somerton Parish Council including an open morning.

As a result of the feedback from the consultation, amendments were made to the text of the re-appraisal, to the management plan and the boundary. The Heritage Asset Review Group had also provided guidance in March 2018 and recommended that Somerton Parish Council be re-consulted. Additional feedback was received in Summer 2018.

The majority of the feedback from the full consultation had been either positive or neutral and constructive with the majority of responses in support of the retention of the area and the proposed boundary changes.

The Historic Environment Manager explained the reasons for not including some of the sites, which had been suggested for inclusion from the consultation, principally as they did not fully meet the Historic England criteria. These included open land, the Village Hall, and Sunways, Staithe road. It was proposed to retain the initially proposed extensions at Manor Farm and Staithe House Farm farmyard as well as Staithe Farm. The main area of contention related to the farmyard to Staithe House Farm, which is located at the head of the dyke. Although it was conceded that the farmyard and buildings did not enhance the area, officers considered this site to be appropriate for inclusion due to the importance of the whole site for views into the Conservation Area from the marshes and the approach to the village and Staithe from the water. It was also a natural extension of the existing area and representative of the close historical association between agriculture and the marshes. For these reasons, the site was in accordance with Historic England's Conservation Area criteria and justification for inclusion was due largely to its contextual element.

The Historic Environment Manager confirmed that designation of the Conservation Area did not prevent new development. All proposals would need to be considered in the context of the CA. He explained that there was no appeal process against designation. He also explained that Broads Authority and Great Yarmouth Borough Council officers had originally discussed having a contiguous area of East and West Somerton but this was not considered appropriate in the context of the Historic England criteria. HARG had also considered this possibility. Members accepted that having

three separate areas demonstrated the significant historical development of the different small farm settlements.

The Historic Environment Manager recommended the adoption of the CA with the proposed new boundary as set out in Appendix 2 to the report, which was justified against the Historic England criteria and the designation of such was in accordance with the Authority's statutory duty. Great Yarmouth Borough Council would be responsible for the adoption of the area within its boundary.

In response to a member's question, the Historic Environment Manager conceded the importance of the village hall as being integral to the community. However, he explained that it had not been included in the CA as it did not meet Historic England criteria due to its location and visual appearance. In addition, the village hall committee had not been in favour.

In response to a further member's question, the Historic Environment Manager explained in more detail the reasoning for including the farmyard at Staithe House Farm - that being the contextual importance of the farmyard in the development of the settlement.

Members commended the consultation process and the work involved to provide the interesting and comprehensive management plan. They noted the very strong views expressed by the parish council and the owner of the Staithe House Farm Yard and considered that these be taken into account.

Lana Hemsall proposed, seconded by Paul Rice and it was

RESOLVED by 6 votes to 1 against

- (i) that the Somerton Conservation Area Re-Appraisal and management plan for the Somerton Conservation Area, for that part of the Area within the Broads Authority executive area and set out in Appendix 2, subject to the removal of the farmyard at Staithe House Farm, is endorsed and

RECOMMENDED to the Broads Authority

- (ii) that the Somerton Conservation Area Re-Appraisal and Management Plan (as amended by Planning Committee), for that part of the area within the Broads Authority executive area is adopted.

3/13 Heritage Asset Review Group: Role and Membership

The Committee received a report on the role and membership of the Heritage Asset Review Group, which also invited appointments to HARG from the Planning Committee. The membership automatically comprised the Chair and Vice-Chair of the Planning Committee plus a minimum of four other members. Membership of the group was not exclusive as other members of the Committee were welcome to attend. In light of changes to the membership of the Planning Committee since the last meeting, and as the next meeting of

HARG was due to take place on 7 December 2018, it was opportune to consider the membership.

Paul Rice expressed an interest in being part of the group, having previously been involved as Vice-chair of the Committee and also having a specific interest in heritage and landscape.

It was RESOLVED unanimously

- (i) that the report is noted.
- (ii) that the membership of the Heritage Asset Review Group be confirmed as:

Melanie Vigo di Gallidoro (Chairman of the Committee), Bruce Keith (Vice-Chair) , Mike Barnard, Jacquie Burgess, Bill Dickson, Paul Rice, and Haydn Thirtle.

3/14 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. This was an appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. The Head of Planning explained the Inspectorate had still not provided a start date. It was understood that other Local Planning Authorities were experiencing similar delays.

RESOLVED

that the report be noted.

3/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 29 August 2018 to 26 September 2018.

With reference to BA/2018/0253/FUL where approval had been given for a replacement bungalow and relocation of a public footpath, it was clarified that it was the responsibility of the County Council to determine the alternative route although the planning authority could identify the requirement.

RESOLVED

that the report be noted.

3/16 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 9 November 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The Chair gave notice that there would be training on flood risk management following the next meeting. Officers from the Environment Agency would provide the training.

The meeting ended at 11.44 am

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 12 October 2018

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Haydn Thirtle	3/10 and 3/11	Great Yarmouth Borough Councillor. Both consultation reports re Local Plan and Third River Crossing associated with Great Yarmouth
Bill Dickson		None other than those already declared
Paul Rice		Chairman Broads Society

Reference:

BA/2018/00364/COND

Location

The Ice House, The Shoal, Irstead

Application for Determination

Parish	Barton Turf and Irstead
Reference	BA/2018/0364/COND Target date 21 November 2018
Location	The Ice House, The Shoal, Irstead
Proposal	To allow existing cladding to dwelling to remain by changing condition 2 and removing conditions 3 and 4 of permission BA/2016/0165/COND.
Applicant	Mr and Mrs Lodge
Recommendation	Refusal
Reason for referral to Committee	Director discretion

1 Description of the Site and Proposals

- 1.1 The application site consists of a dwellinghouse with a holiday dwelling in the curtilage at Ice House, The Shoal, Irstead. The Shoal is a private road running north of Shoals Road which gives access to a number of dwellings along its eastern side that enjoy an open aspect to the River Ant to the east.
- 1.2 The dwelling sits immediately adjacent to the river to the east of the large plot and is two storey, incorporating a boatshed on the ground floor. It is thatched and timber framed. It is locally listed and is considered to be a non-designated heritage asset.
- 1.3 In 2014, planning permission was granted for the erection of a holiday dwelling in the curtilage as enabling development to fund the restoration of dwelling, which was in a poor state of repair (BA/2013/0208/FUL). It was recognised that the dwelling is a fine example of a traditional Broads riverside property and it was identified as a non-designated heritage asset. Planning permission was granted as a departure from policy as this is a location where new holiday accommodation would not normally be permitted. However, it was considered on balance that the benefits to the main dwelling of this enabling development would outweigh the disbenefits. The design of the holiday dwelling was an important consideration and there was emphasis on the design and materials to ensure it was appropriate for a sensitive location, particularly in recognition of the fact that it was a departure from policy. A Section 106 agreement was used to secure a scheme of structural and other

repair work to the dwelling tied to the timing of the implementation of the holiday dwelling scheme.

- 1.4 The original planning permission has been implemented and work to the main dwelling is progressing. The holiday dwelling has been constructed following the completion of the first phase of approved restoration works to the main dwelling, this is in accordance with the scheme required by the Section 106 agreement and the restoration work to the main dwelling has been completed to a high standard. It is the holiday dwelling that is the subject of this application.
- 1.5 The planning permission for the holiday dwelling included the use of timber windows and timber boarding as identified in the submitted plans and documents. Condition 2 of the permission required the development to be carried out in accordance with these plans and documents. A routine condition monitoring visit in 2016 identified that this had not been the case and the holiday dwelling has been constructed with wood effect UPVC windows and fibre cement boarding.
- 1.6 In 2016 an application was made to vary condition 2 and retain the UPVC windows and the external cladding as constructed (2016/0165/COND). Following negotiations, it was proposed to replace the existing unauthorised fibre cement boarding on the gables with waney edged timber boarding and on the porch and dormer windows with timber shiplap boarding. The application was approved in March 2017 subject to the works being carried out within 12 months.
- 1.7 This application seeks a further variation of condition 2 to allow for the retention of all the fibre cement boarding, along with the removal of condition 3, which stipulated the timetable for the replacement of the unauthorised cladding, and condition 4 which required the approved wall and roof materials being retained for the lifetime of the development.
- 1.8 The application states that the cost of completing works on Ice House are escalating, the applicant is now not able to secure any additional funding, and that any funds that have to be spent on the holiday dwelling will significantly delay or possibly stop completion of works on the Ice House. Quotes submitted with the previous application put the cost of recladding at £12,000. It is argued that a year later this is now likely to be £13,000.
- 1.9 As with the 2016 application, the application argues that despite the use of timber for the windows and external boarding being secured by planning condition, a condition did not require details of the materials to be used. This application further goes on to state that 'no information was provided or requested as to finishes and materials for these areas. Accordingly, the use of Marley Eternit Cedral Lap cement weather board in these locations does not represent a breach of planning condition'.
- 1.10 In addition, the application states that 'in terms of appearance the works of replacement will lead to a more unattractive design and to a less satisfactory

form of development', in addition to arguing that 'changing the form and type of materials and the colours of the materials will draw more attention to the building with contrasting shapes and colours standing out and this will impact on the general character of the location'.

2 Site History

BA/2016/0165/COND - Retrospective variation of Condition 2 of BA/2013/0208/FUL to change the materials required for the windows and external cladding to gables and amend the elevations. Approved for change to windows and amended elevations, subject to conditions and Section 106 agreement.

BA/2013/0208/FUL - Erection of holiday dwelling within curtilage of Icehouse Dyke to enable refurbishment of main dwelling - Approved subject to conditions and Section 106 agreement.

3 Consultation

Cllr McGoun - Requested application should be determined by Broads Authority Planning Committee.

BA Historic Environment Manager - Objection on basis of use of inappropriate and unacceptable materials, impact on appearance of approved holiday let, impact on appearance of Locally Listed heritage asset, impact on visual contribution to the Broads.

Representations

Three letters of support, two of which are from the same address, were received which are summarised as follows:

- The property blends in with the ambience of the village.
- The material is easily maintained.
- Altogether, the property looks very good.

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

CS1 - Landscape protection and enhancement
CS5 - Historic and Cultural Environments

Development Management Policies DPD (adopted 2011)
[Development-Management-DPD2011](#)

DP4 - Design

- 4.2 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)
DP5 - Historic Environment

Neighbourhood Plans

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

5 Assessment

- 5.1 The application is for the retention of the fibre cement cladding installed to the roof gables and to the face and cheeks of the roof dormers. The approved scheme stipulated that the materials would be in accordance with those stated in the application form, namely the use of timber.
- 5.2 It is noted that in submitting the previous retrospective application (2016/0165/COND), which sought to retain the UPVC windows, the applicant justified the proposal primarily with two arguments:
- that the cost of the replacing the windows at the holiday let was such that it would impact on the potential to complete the works to the locally listed dwelling; and
 - that whilst the planning permission only required timber cladding, they proposed using waney edged larch which would provide betterment in terms of the overall appearance of the holiday let.
- 5.3 The application was initially considered at the 16 September 2016 meeting of the Planning Committee, however Members considered the information they had been provided by the applicant was ambiguous, so deferred the matter for further information. The matter was reconsidered at the 14 October 2016 meeting, with the following statement from the agent:

“I have now spoken with Mr Lodge and confirm that whilst he is aggrieved that any remedial work is necessary at all to the holiday cottage, for the reasons given in previous correspondence, he is prepared to take the following action in order to bring the matter to a close.

1. It is proposed to replace the cladding with waney edged larch to the gables and timber shiplap to the dormers, as set out in the current application, as detailed to Members in the Committee report as presented it to Members at the last meeting. The windows and doors would be retained in their current form and materials.

2. It is acknowledged that the recommendation for this proposal is for approval and trusts members will agree with the recommendation.

3. Mr Lodge is committed to this proposal and would implement this permission, should the application be approved.

4. Mr Lodge will replace the cladding in accordance with a timescale agreed with the Authority. Due to the financial implications and the need to implement phase 2 of the Ice House refurbishment, whilst he and his wife move into the holiday cottage on a temporary basis, Mr Lodge would require a reasonable timescale in order to complete the replacement cladding. I would suggest a timescale of 24 months would be more appropriate.

I trust this is sufficient for you to re-present your report to the planning committee at the next meeting with the recommendation of approval.”

5.4 The Planning Committee concluded that these two reasons (ie as outlined at 6.2) were considered sufficient to outweigh the harm that utilising UPVC windows does to the setting of the locally listed heritage asset, the appearance of the property when viewed from the river, and the harm to the wider Broads setting, whilst the commitment from the applicant gave reassurance around the remaining issues.

5.5 The current application has the unfortunate consequence of undermining the soundness of the previous planning decision because by not providing betterment to the approved scheme, part of the justification for allowing the retention of the UPVC windows is lost. It also undermines and contradicts the arguments put forward by the applicant as they sought to persuade the Planning Committee by declaring the commitment to the replacement of the cladding. It must be noted, however, that although the planning pathway taken by the applicants is ill-considered, the decision on the acceptability of the cladding material must be solely made on its planning merits.

5.6 The reasons for the intrinsic unacceptability of the fibre cement cladding was clearly set out in the Committee report which considered the retention of the UPVC windows and doors, stating that:

‘Replacement of the fibre cement boarding with timber boarding is welcomed as this would restore this element of the development to as originally approved. The fibre cement boarding is considered to adversely affect the appearance of the dwelling with its imitation timber finish that is uniform, will not weather and is different in colour and texture to both the timber fascias and UPVC windows. The three gables are large, prominent areas on the building where the incongruity of this material is most apparent, including in views from the river. The cladding is the most unacceptable element of the development and retention of it would be contrary to Policies DP4 and DP5’.

5.7 The report goes on to discuss the retention of the UPVC windows, commenting that *‘the wood effect windows and doors which have been used are not considered to be of such a design or finish that overcomes the general*

presumption against UPVC'. Whilst it was accepted that the impact on the setting of the heritage asset was not unacceptable, the impact in design terms was unacceptable, and it was only through the justification set out above – ie the betterment offered by the waney edge boarding - that the application was recommended for approval.

5.8 In terms of the current application, the justification is significantly weakened. Firstly the financial implications are not comparable, the previous quotes (to replace the windows) being for over £50,000, whilst the replacement of the cladding element would be £12,000. Secondly, the impact on the heritage asset is greater by the retention of the cladding as this is a much more noticeable and pronounced element of the dwelling.

5.9 Turning our attention first to funding, the statement supporting the current application states in paragraph 4.1:

The applicant was able to arrange additional funding to meet the escalating cost of completing works on Ice House to ensure it was completed to an appropriate, high standard in order to ensure its longevity as an important building within the Broads. Despite the additional, borrowed monies, the cost of repair and restoration have continued to spiral, and the applicant is now not able to secure any additional funding. The shortfall was not anticipated at the time of the assurances provided in 2016 but the subsequent change in circumstances now necessitates a different approach.

5.10 Effectively the landowner is saying that he can no longer afford to do what he agreed to do. The statement around the funding has been accepted at face value and is not questioned (in that, there is no evidence submitted either to support or contradict it), but this is because it is considered that this in itself is not justification for the permanent retention of the fibre cement cladding and this financial consideration is not a material planning consideration.

5.11 It is worth noting that no explanation has been given as to why the holiday accommodation is not currently in use for that purpose, taking into account the signed s106 agreement, which requires that the holiday let not be occupied until certain stated works to the heritage asset are undertaken. An internet investigation shows that bookings are being taken from April 2019. Weekly prices start at £1327 per week rising to £2466 per week in peak season (from 19 July), meaning that if that the holiday let is occupied for five weeks from 19 July then this alone would cover the cost of the cladding replacement. It is therefore considered that whilst the immediate replacement of the cladding may be beyond the current means of the applicant, this is not an argument that can be sustained for long, and therefore undermines the justification for the permanent retention of the fibre cement cladding on financial grounds.

5.12 The design issues are key considerations in the determination of this application. It is noted that in combination the visual impact of the UPVC windows and composite cladding was previously considered to be unacceptable, which resulted in the previous application for the retention of the windows as fitted and the replacement of the composite cladding with

timber waney edged boarding to the gables, and timber weatherboarding to the dormers. This latter part of the proposal was key to the acceptance of the unauthorised UPVC windows, as it was concluded that whilst regrettable, the resulting visual appearance of the windows in isolation would on balance be acceptable when weighed against the benefits of achieving the restoration of the heritage asset. Also, the provision of timber waney edged boarding to the gables was considered to be betterment over the approved material as it matched that on the heritage asset.

- 5.13 The combination of UPVC windows and composite cladding remain difficult to support on design grounds. Policy DP4 (design) requires the highest standard of materials to be used and for those materials to be sustainable. Neither meets those criteria and their use in combination here would be difficult to justify.
- 5.14 The holiday unit when viewed from the river is seen in the context of the heritage asset, which adds emphasis to the need to consider the proposed materials carefully. The high quality design contributed to the justification in allowing the original scheme, however this high quality was undermined by the inclusion of the UPVC windows and fibre cement cladding which are visual detractors from both the heritage asset and the wider Broads area. In combination they are considered unacceptable on design grounds and the change of the material is considered sufficient to significantly diminish the overall positive contribution that the development makes to the Broads. The impact on the heritage asset of the Ice House is also negative and unacceptable.
- 5.15 It is worth drawing attention to the contrast that exists between the timber boarding and the fibre cement boarding as installed. The fibre cement boarding has a flat, uniform appearance that is clearly the product of a fabricated process. The timber boarding has a warmth, character, and variation, along with shade and tone, which can be appreciated both up close and from the river. This obvious and discernible contrast emphasises the synthetic appearance of the existing cladding and underlines why the fibre cement boarding is not considered acceptable, and is of detriment to the appearance of the both holiday let and the heritage asset.
- 5.16 The public view of the holiday let is from the River Ant and therefore the context of the holiday let will always be seen as adjacent to the heritage asset, so the impact of one on the other is a key consideration. The use of waney edged boarding to the heritage asset further emphasises the fabricated nature of the fibre cement boarding. This is a situation that will only worsen over time as the timber matures and ages in a natural way, and the fibre cement board slowly fades, a contrast that will further highlight why the use of the current cladding material is not appropriate or acceptable.
- 5.17 One final point to note is that the original application for the building of the holiday let was approved as enabling development to fund the restoration of the heritage asset and was a departure from policy. Departures should only be made where there are other material considerations which indicate the

proposal should be allowed contrary to development plan policy, and this argument was made in this case. In the case of the application to retain the UPVC windows, their retention was considered justified due to the overall costs and the impact that would have on the restoration of the heritage asset, and the betterment through use of waney edged timber cladding to the holiday dwelling. This current application is similarly contrary to development plan policy, however the previous material considerations no longer apply and there are no new material considerations which can reasonably support it. It is accepted that the Local Planning Authority would need to be realistic in setting a timetable for the replacement of the fibre cement cladding, but given that this option exists and is entirely reasonable, it cannot be argued that the retention of the existing cladding is justified or acceptable.

6 Conclusion

- 6.1 The proposed retention of the fibre cement cladding would result in an unacceptable impact on the setting of a locally listed heritage asset, would be detrimental to the character and appearance of the holiday let, and would require a departure from policy which is not justified. The change from the approved scheme and varied scheme is not minor and is clearly visible from public vantage points. The proposal is contrary to Policy DP4 as it lacks high design quality, does not integrate with its surroundings, reinforce local distinctiveness, or enhance cultural heritage. The proposal is contrary to Policy DP5 as it does not protect, preserve, or enhance the fabric and setting of a historic, cultural and architectural asset.

7 Recommendation

- 7.1 That planning permission be refused.

8 Reason for Recommendation

- 8.1 The proposal is considered to be contrary Policies DP4 and DP5 of the Development Plan Document (2011), along with Policies CS1 and CS5 of the Core Strategy (2007), and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

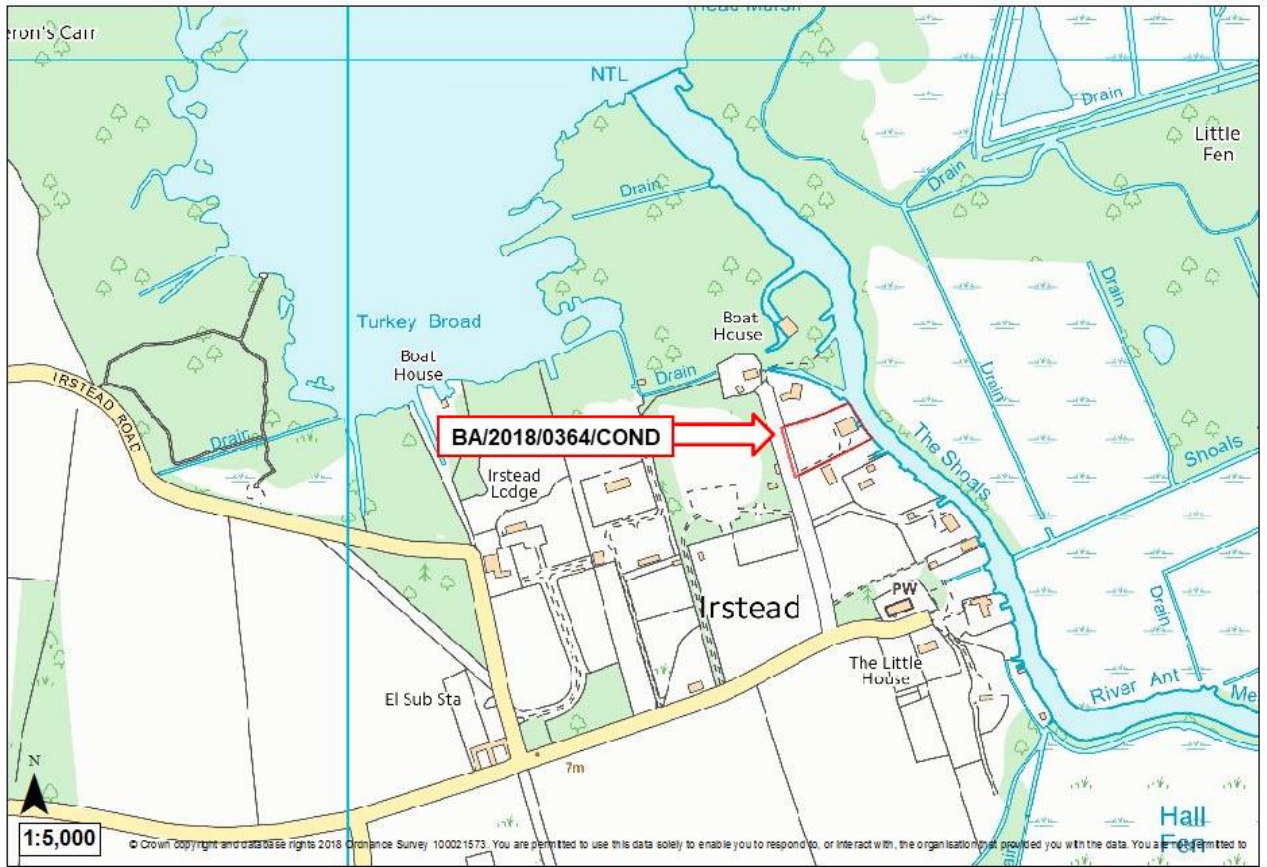
List of Appendices: Location Plan

Background papers: Application File: BA/2018/0364/COND
BA/2016/0165/COND
BA/2013/0208/FUL

Author: Nigel Catherall

Date of Report: 25 October 2018

BA/2018/0364/COND-Ice House, The Shoal, Irstead



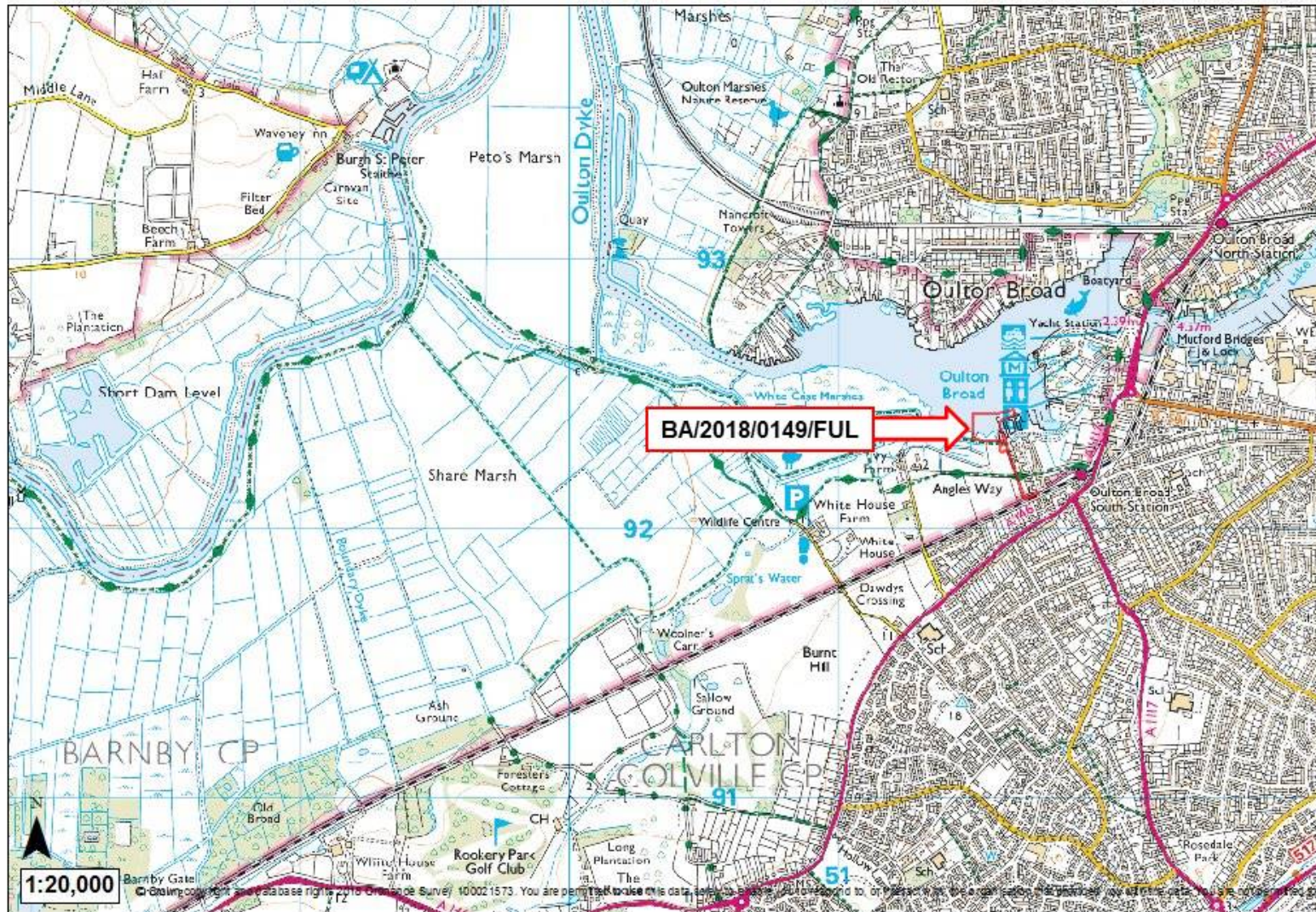
Reference:

BA/2018/0149/FUL

Location

Broadlands Marina, Marsh Lane, Oulton
Broad

BA/2018/0149/FUL-Broadlands Marina, Marsh Lane, Oulton Broad



Application for Determination

Parish	Oulton Broad
Reference	BA/2018/0149/FUL Target date 12 July 2018
Location	Broadlands Marina, Marsh Lane, Oulton Broad
Proposal	40 new private and 15 new visitor pontoon moorings as an extension to the Marina; removal of 30 moorings and a section of jetty; creation of additional reedbed, and reinstatement of slipway and pump out facilities.
Applicant	Mr Paul Spriggins
Recommendation	That Members undertake a site visit
Reason for referral to Committee	3rd party objections received

1 Background

- 1.1 Broadlands Marina is situated on the southern side of Oulton Broad, adjacent to Tubby's Marina, and at the northern end of Broadland Holiday Village. The marina comprises 3 concrete jetties which project out from the quayside by approximately 62 metres, to the west of which is a slipway adjacent to which is a further jetty which is initially concrete with the remainder in timber, projecting out by approximately 78 metres. The existing marina provides moorings for up to 77 boats. Immediately west of the marina is a mooring cut within an area of reedbed which features steel piling in a visibly poor state, the land around the edges is overgrown, and there does not appear to be an obvious access to this area. A further 70 metres to the west is a further mooring cut within the reedbed, this area is not piled and it is not clear how this area is accessed. Within the submitted planning statement under paragraph 2.2.1 it is asserted that the two reedbed mooring areas provide up to 30 moorings.
- 1.2 Access via land to the marina is through Broadland Holiday Village, with parking provided at the northern end of the site within a designated car park. The site features a small sales office with decking area sited next to the access to the timber jetty.

2 Proposals

- 2.1 This application is for the installation of an area of pontoons covering an area of 94 metres (east to west) by 57 metres (south to north), sited to the

immediate west of the existing marina. Access to the pontoons is via the concrete jetty which currently leads to the timber jetty, with the timber section of the jetty removed to make space for the pontoons, this would remove 12 existing moorings.

- 2.2 The proposed pontoon comprises an access walkway at a length of 88 metres which runs roughly parallel to the land, perpendicular to which are three sections of pontoon at a length of 54.5 metres, each section providing up to 24 private moorings demarcated by finger jetties, along with 2 visitor berths at the top end. The total number of private moorings in this section would be 70 private moorings and 6 visitor berths.
- 2.3 The projection of the pontoons into the broad beyond the northernmost element of the existing marina is 16.6 metres.
- 2.4 A further section of pontoon mooring is proposed to the northern end of the existing marina, accessed via the central of the three jetties, this comprises two pontoons projecting northwards by 15 metres and would provide 9 visitor berths.
- 2.5 In total 150 moorings would be provided at the marina, this comprises the 70 newly created private pontoon moorings, 15 newly created visitor berths, and 65 provided by the existing moorings. The application includes the removal of 42 existing moorings, so the net increase of mooring provision would be 55.
- 2.6 The application includes the provision of pump out facilities, located next to the two proposed visitor mooring pontoons, and the re-instatement of slipway facilities. Electric hook-up facilities would be provided to the new moorings. The two areas of existing mooring within the reed bed area would be forsaken and those sections planted with reeds.
- 2.7 Oulton Broad provides a powerboat racing exclusion zone, the proposed moorings maintain a separation at a minimum of 11.2 metres to the exclusion zone.

3 Consultations

- 3.1 The following consultation responses have been received to date:

Parish Council - Objection on grounds of impacts on navigation, appearance of the Broads landscape, and access.

NSBA - Objection on grounds of lack of separation to powerboat racing area.

Waveney and Oulton Broad Yacht Club - Objection on grounds of impact on navigation, lack of separation to powerboat racing area, impact on existing swing moorings.

Natural England - No objection.

BA Navigation Committee - Objection on grounds of impact on navigation.

BA Landscape Architect - Objection on grounds of location, scale and design of moorings.

BA Waterways and Recreation - No objection subject to conditions.

4 Representations

- 4.1 To date, 23 objections have been received on ground of impact on navigation, encroachment into the Broad, impact on Broads landscape, impact on ecology, impact on existing swing moorings, impact on views from Nicholas Everitt Park, and being contrary to the Broads Authority's three stated objectives.

5 Policies

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

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

CS1 - Landscape Protection and Enhancement

CS3 - The Navigation

CS4 - Creation of New Resources

CS9 - Sustainable Tourism

CS14 - Visitor moorings

CS23 - Network of waterside sites

Development Management Policies DPD (adopted 2011)

[Development-Plan-document](#)

DP1 - Natural Environment

DP2 - Landscape and Trees

DP11 - Access on Land

- 5.2 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

Development Management Policies DPD (adopted 2011)

DP12 - Access to the Water

DP13 - Bank Protection

DP16 - Moorings

- 5.3 Other Material Considerations

NPPF [NPPF](#)

Neighbourhood plans

There is no neighbourhood plan in force in this area.

6 Conclusion and Recommendation

- 6.1 The application proposes an extension to the existing Broadlands Marina which would project a significant distance further into Oulton Broad taking into account the existing marina. Objections have been received primarily objecting to the impact on navigation, encroachment into the Broad, and the impact on Broads landscape. It is noted that Navigation Committee objected due to the impact on navigation.
- 6.2 A fact finding site meeting was held attended by Broads Authority staff, the applicants, and representatives from the NSBA, Oulton Broad Parish Council and the local Waveney and Oulton Broad Yacht Club. The yacht club requested data showing the surveyed depths of Oulton Broad, this data demonstrated that the depth of the Broad where the moorings are proposed is sufficient for the purposes of navigation. The NSBA, Oulton Broad Parish Council and the local Waveney and Oulton Broad Yacht Club have maintained by their submitted comments.
- 6.3 The objections to the scheme have been raised with the applicants who at present are considering amendments to the scheme.
- 6.4 Given the location, siting, and scale of the proposal, and the not insignificant local interest, it is recommended that members undertake a site visit in order to fully appreciate the local context prior to determination of this application in due course.

List of Appendices: Location Plan

Background papers: Application File BA/2018/0149/FUL

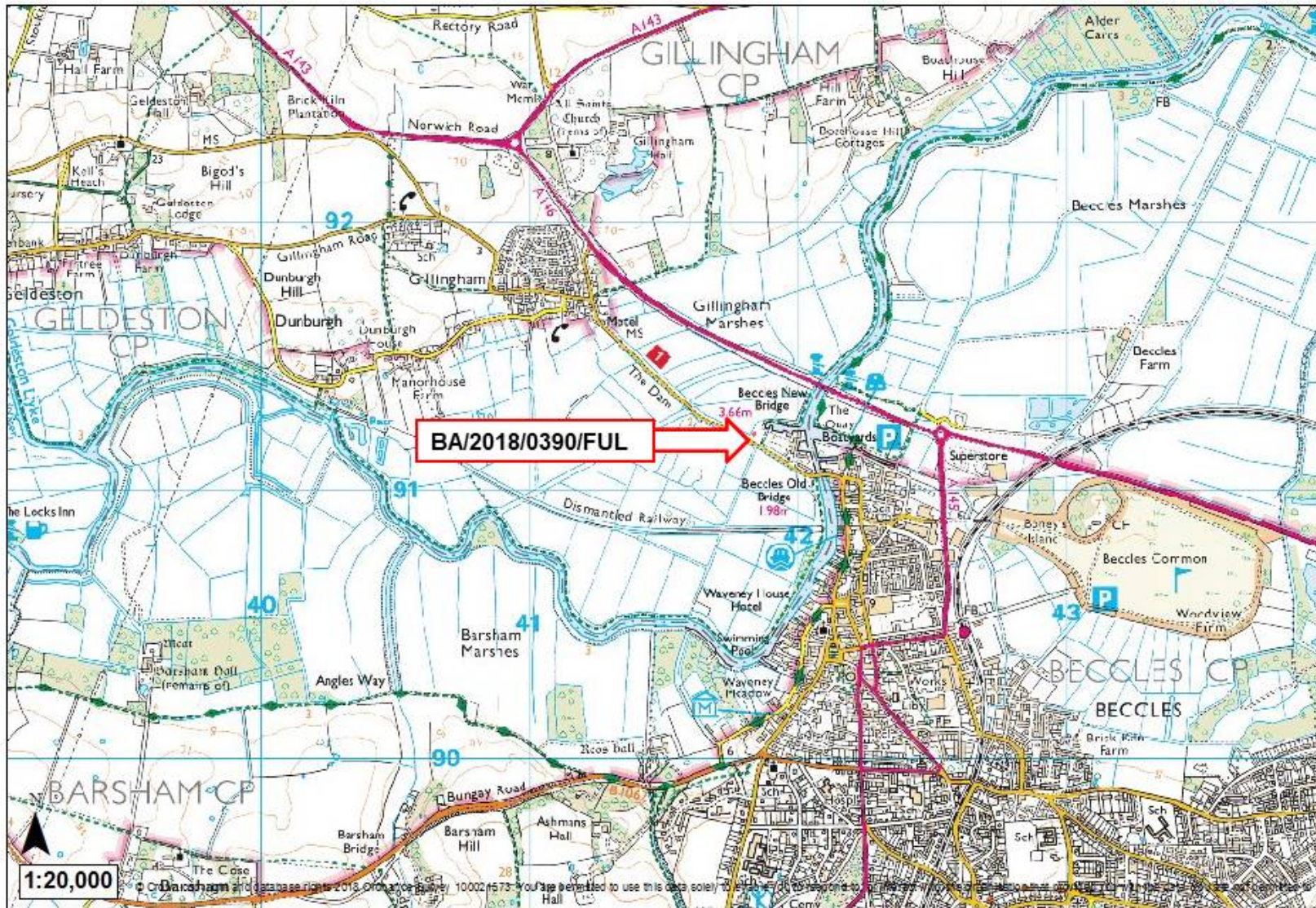
Author: Nigel Catherall

Date of Report: 19 October 2018

Reference:

BA/2018/0390/FUL Hippersons Boatyard,
Gillingham Dam, Gillingham

BA/2018/0390/FUL-Hippersons Boatyard, Gillingham Dam



Application for Determination

Parish	Gillingham		
Reference	BA/2018/390/FUL	Target date	06 December 2018
Location	Hippersons Boatyard, Gillingham Dam, Gillingham		
Proposal	7.15m x 3.5m x 3.55m high timber clad single bedroom unit of holiday accommodation and associated sewage treatment tank.		
Applicant	Mr Simon Sparrow		
Recommendation	Approve subject to conditions		
Reason for referral to Committee	Applicant is member of Broads Authority Navigation Committee		

1 Description of the Site and Proposals

- 1.1 The application site is adjacent to a long established boatyard and mooring located opposite Beccles Town quay and accessed by water off the River Waveney. Hippersons and this site is to the north west of the bridge connecting Gillingham Dam with Beccles, around which there are a number of dwellings and buildings. More widely, this side of the river is characterised by a mix of open green riverbanks, some commercial uses such as the boatyard adjacent to the application site, housing, and also public open space. To the west of the site is low lying farmland running to Gillingham which is marshland visible from the slightly elevated Gillingham Dam road, and also from the A146 which runs parallel to the north.
- 1.2 The application site is accessed by road from the existing access to Hippersons Boat Yard from Gillingham Dam. This has a footpath/cycleway into Beccles and to the west to Gillingham. Surrounding the western boundary adjacent to the farmland and along the southern boundary with the highway is a mature hedgerow made up of a mix of established trees and hedging plants. The land is currently green space under the ownership of the applicant. The wider site has leisure moorings with one of these moorings received planning permission for a change of use to a permanent residential mooring (BA/2014/0307/FUL).
- 1.3 The site is within flood zones 2 and 3; the specific redline area for this application runs from the current site access (which would remain unaltered) to the car park which would be the extent of proposed vehicular access, from

this the redline runs along the footpath access to the proposed location of the holiday accommodation.

- 1.4 This application proposes the siting of a timber self-contained holiday let structure. Whilst the structure is physically moveable, the proposal is for it to be fixed to the ground so it does not comply with the definition of a caravan or other temporary (ie non-permanent) structure. It would not be scheduled to be moved from the site. As such, this proposal is therefore considered, in effect, to be a permanent structure, rather than a change of use of land for the siting of a camping pod. The proposal does not include any changes to the area in which it would be sited, car parking would be within the existing car park, and the unit would be accessed by foot, which is approximately 60 metres from the existing car park.
- 1.5 The unit is single storey with a height of 3.55m, and a floor area of approximately 25m². The unit includes a bathroom, combined sitting room/kitchen area and a bedroom. The manufacturer's details indicate the unit has a timber clad external finish, with dark grey coloured roof, door and window finishes. As part of the application a package water treatment plant is proposed and the unit is to use ground anchors to fix the structure permanently to the ground.

2 Site History

BA/1995/7128/HISTAP - Mooring for two holiday houseboats, one for disabled use – Refused 11th March 1996 – Dismissed at appeal (16th October 1996)

BA/2014/0307/FUL - Change of use of mooring from leisure to residential- it should be noted that this application is a Departure from Policy DP25 of the adopted Development Management Policies DPD (2011) and the Local Planning Authority proposes to grant planning permission. – Approved (18th November 2014)

3 Consultation

Parish Council – To be reported orally

District Member – To be reported orally

NCC Highways – To be reported orally

Environment Agency – To be reported orally

Representations – None received at time of report publication, if any are subsequently received these will be reported to the Committee orally.

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. The application is for the retention of the fibre cement cladding installed to the roof gables and to the face and cheeks of the roof dormers. The approved scheme stipulated that the materials would be in accordance with those stated in the application form, namely the use of timber.

Core Strategy (adopted 2007) [Core Strategy Adopted September 2007 pdf](#)
CS9 - Sustainable Tourism
CS11 - Sustainable Tourism
CS24 - Residential Development and the Local Community

Development Management Policies DPD (adopted 2011)
[Development-Plan-document](#)

DP11 - Access on Land

Site Specific Policies Local Plan (adopted 2014)
OUL1 - Development Boundary (Oulton Broad) (Page 69 of Site Specifics doc)
[Site-Specific-Policies-2014](#)

- 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.
[NPPF](#)

Development Management Policies DPD (adopted 2011)
DP14 - General Location of Sustainable Tourism and Recreation
Development
DP15 - Holiday Accommodation - New Provision and Retention
DP20 - Development on Waterside Sites in Commercial Use, including Boatyards
DP28 - Amenity

Neighbourhood Plans

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

5 Assessment

- 5.1 The application is for a single unit of holiday accommodation adjacent to an established boatyard within close proximity to both the river Waveney, and town of Beccles. The key considerations relate firstly to the principle of the development, adjoining a boatyard outside of a development boundary. Secondly, whether the proposal within flood zone 3 is acceptable, and how the risks have been addressed. Thirdly, the potential impacts of the development upon both the character and appearance of the area, and also the amenity of neighbours and of any protected habitat or species need to be

addressed. Finally, the intensified use of the site would have an impact upon both the highways and cycle/pedestrian access and network which shall be assessed.

Principle of development

- 5.2 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, however it is more flexible in terms of holiday accommodation and policies do give scope for this type of development dependant on the current use of land.
- 5.3 As the site lies within the grounds of and is land associated with an established boatyard, policy DP14, DP15 and DP20 of the Development Management Policies (2011 – 2021) are relevant. These policies set out the principle and criteria by which sustainable locations for holiday accommodation are assessed (DP14/15). They allow for development of a different use associated with established boat yards, subject to meeting a variety of criteria.
- 5.4 DP14 sets out that new tourism development will be permitted where it is closely associated with an existing tourism site or boatyard. The site itself is not previously developed land, and unlike the main area of the boatyard, does not have any hardstanding, buildings or moorings within this area. However the land is under the same ownership as the boatyard, is physically adjoining the boatyard, has established foot access into the area and is within the site's main boundary screening (established hedge and trees) so that there is a clear visual relationship. Therefore the site is considered to comply with policy DP14 in that there is a close association with the boatyard.
- 5.5 The provision of new holiday accommodation is assessed against Policy DP15 of the Development Management Policies DPD which sets out 4 criteria which must be met. Under criterion (a) it must accord with Policy DP14, this assessment has been provided in the preceding paragraph of this report. Criteria (b), (c), and (d) require, respectively, the accommodation to be for short stay holiday occupation only and 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.
- 5.6 As the site is linked to an existing established boatyard, consideration of whether the proposed use would be complementary to the existing boatyard use is important. Policy DP20 (Development on Waterside Sites in Commercial Use, including Boatyards) allows for the diversification of boatyards. However this is on the basis that the proposed new development/use would involve a subsidiary part of the yard, the site is large enough to accommodate the different uses without resulting in conflict

between the uses, and the existing boating/visitor/mooring facilities and water access are maintained. Due to the limited scale of the proposed development, and the siting of the holiday accommodation away from the main buildings and commercial areas of the yard, it is considered that this proposed use would not harm the current use of the site, nor would it prejudice the continued use of the site as a boatyard. The continued tourist development, albeit land based, is considered to support the continued operations of this boatyard as a sympathetic diversification of the sites use.

- 5.7 With regard to the above assessment it is considered that the principle of providing holiday accommodation at an existing boatyard in this location is acceptable with regard to Policies DP14, DP15, DP20 of the Development Management Policies DPD, Policy CS24 of the Core Strategy, and the NPPF.

Design, character and amenity

- 5.8 The nearest residential accommodation is within the boat yard in the form of a residential mooring (ref. BA/2014/0307/FUL), and there are buildings to the east of the boatyard which are dwellings. Due to the location of the proposed holiday let being to the west of the existing boatyard, and therefore being positioned away from the nearest residential mooring as well as dwelling houses, the holiday let would not result in harm to the amenity of these neighbouring residential properties. No loss of privacy or outlook would occur, and considering the separation distance issues related to noise or disturbance would not be sufficient to warrant refusal considering, additionally, the existing use of the site, which incorporates tourist uses already.
- 5.9 The site is well screened and additional planting could be secured by condition and used to ensure that views into the site from the west and south are at most glimpsed views. The proposed structure is low (3.55m high), and the wooden cladding and darker coloured materials for the roof, doors and windows would ensure that this building would not be incongruous when visible. Set behind a substantial screening hedge, and with the existing boatyard to the rear, the structure would have little impact upon the key views towards the site from the west along Gillingham Dam. From the river, the structure would potentially be visible; however this would be mitigated through screening inside the site, as well as the existing boats, buildings and other boatyard paraphernalia. In addition to ensure that the illumination of the site does not impact upon the night time character of the area, a condition should be attached requiring details of any lighting proposed. The assessment concludes that the structure would not harm the wider character of the area subject to conditions.
- 5.10 The proposed unit would be limited to holiday use, predominantly to ensure that the use of the structure continues to comply with policies DP14, 15 and 20. It is noted that with a floor area of only 25m² and alongside a working boatyard the structure is not acceptable as permanent residential accommodation. Government guidance sets out that the minimum floor area for a 1 bedroom 1 floor dwelling to be 50m², so if the use were proposed to change in the future to a single unit of residential accommodation it is the

case that the level of amenity for occupants would not be acceptable for accommodation on a permanent basis.

Highway safety and access

- 5.11 Access to the site would continue to use the existing vehicular access to Hippersons Boat Yard which also has a footpath and good cycle links to Gillingham and Beccles. Once within the site, occupants of the holiday let would use the existing car park should they come to the site by car, with footpath access to the holiday accommodation from the car park. This is considered acceptable in terms of access for holiday uses. Pedestrian access could be improved through minor works to the existing access footpath, the surfacing of such would be conditioned.

Flood Risk and the Sequential Test

- 5.12 To be reported orally.

6 Conclusion

- 6.1 Subject to conditions as set out below, the site is considered to be a sustainable location for holiday accommodation and the specific location and design of the structure would not harm the character and appearance of the site or wider area. No harm would occur to neighbouring residents' amenity, and the scheme is considered to be sympathetic diversification of an existing boatyard use. As such the scheme is considered to accord with all relevant planning policy and is recommended for approval.

7 Recommendation

- 7.1 Approve subject to conditions as follows

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Parking area to be restricted to existing car park;
- iv. Lighting scheme to be agreed;
- v. Restriction on use - type of use, duration of stay, register of bookings;
- vi. Remove permitted development rights;
- vii. Flood response plan; and
- viii. Details of landscaping and surfacing of access footpath to be submitted

8 Reason for Recommendation

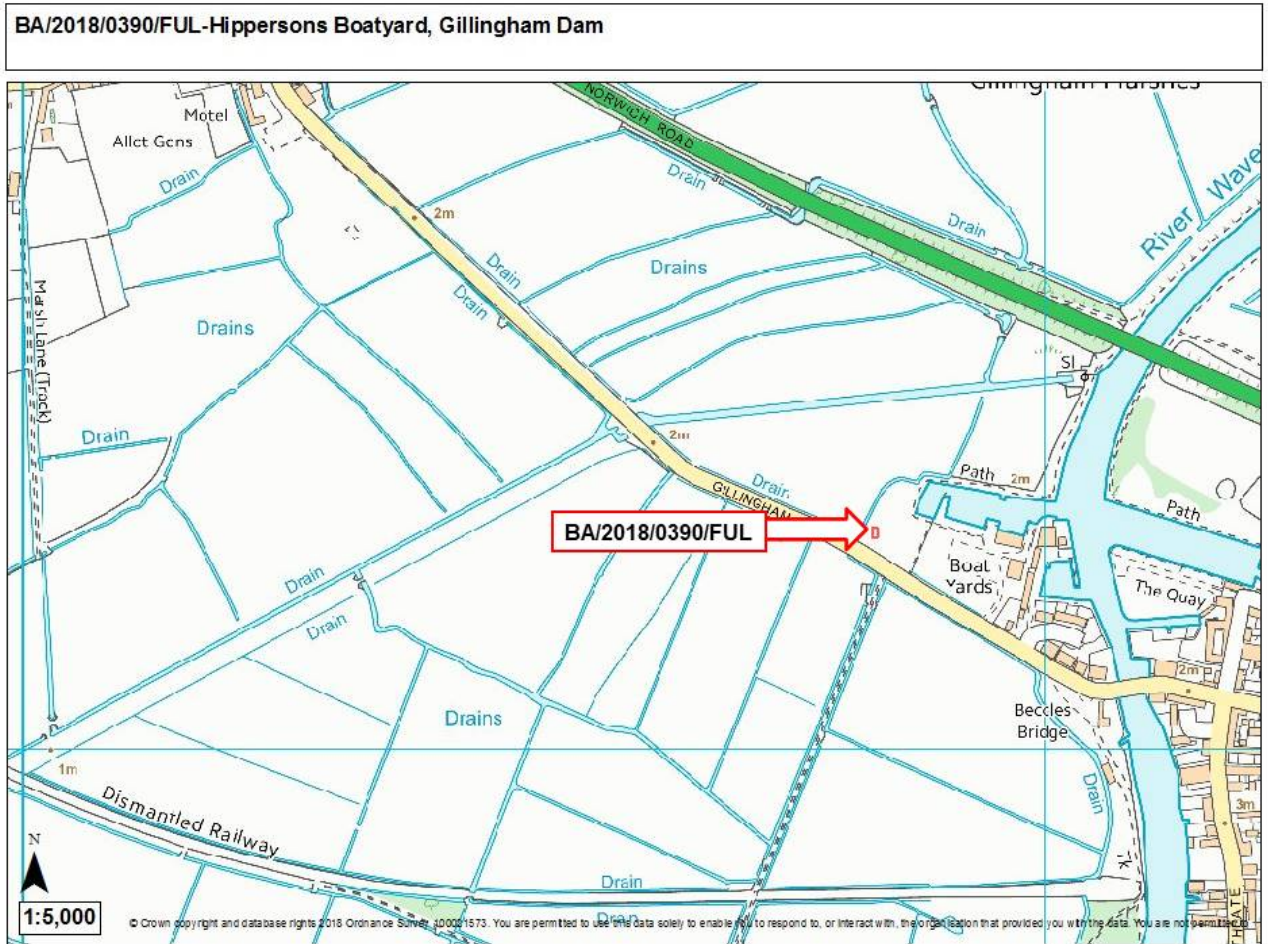
- 8.1 The proposal is considered to be in accordance with Policies CS9 and CS24 of the Core Strategy (2007), Policies DP11, DP14, DP15, DP20 and DP28 of the Development Plan Document (2011), and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

List of Appendices: Location Plan

Background papers: Application File BA/2018/0390/FUL

Author: Jack Ibbotson

Date of Report: 25 October 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. • No further works undertaken, so non-compliance with Enforcement Notice • Operator given to 6 August 2018 to comply. Compliance not achieved. • Prosecution proceedings commenced. • Breach of Condition Notices issued on 30 August 2018 in respect of non-compliance with conditions 3, 4 and 5 of BA/2016/0444/FUL. • Provisional Court date 18 December 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 • Planning Application under consideration

Committee Date	Location	Infringement	Action taken and current situation
5 January 2018	Barnes Brinkcraft, Riverside Estate, Hoveton	Non-compliance with planning condition resulting in encroachment into navigation of moored vessels	<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 • Planning application in preparation • Planning Committee resolve to grant planning permission 14 September 2018
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 8 November 2018 • Work to achieve Compliance underway
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, hardstanding and structures, including 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 • Site checked 21 September. Partial compliance, so landowner allowed a further one month to complete works. • Work to achieve compliance underway

Committee Date	Location	Infringement	Action taken and current situation
27 April 2018	Former Waterside Rooms, Station Road, Hoveton	Untidy land and building	<ul style="list-style-type: none"> • S215 Notices issued 28 August 2018 with compliance date of 28 October 2018 • S215 Notices complied with • Further works required and underway
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> • Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so. • Site being monitored

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: 25 October 2018

Appendices: Nil

Waveney Strategic Flood Risk Assessment
Report by Planning Policy Officer

Summary: The Waveney Strategic Flood Risk Assessment (SFRA) is completed and ready to be used in the planning process. This is the last of the four SFRA's which are relevant to the Broads. A precautionary approach has been taken for the parts which are not modelled for flood risk. Some changes will be needed to the Local Plan, but these are not considered significant and the Inspector is aware of the progress of the Waveney SFRA and the changes required.

Recommendation: That Planning Committee endorse the Waveney SFRA.

1. Introduction

- 1.1 Strategic Flood Risk Assessments (SFRA) aim to facilitate the planning process by identifying the spatial variation in flood risk across an area. This allows an area-wide comparison of future development sites with respect to flood risk considerations. This information is used as the basis for assessing which flood zone development is likely to be sited within.
- 1.2 Four SFRA's cover the Broads Authority Executive Area, three are covering the Norfolk part (North Norfolk, Great Yarmouth, Greater Norwich), and one is covering the Suffolk part (Waveney). They can be found here:
<http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>
- 1.3 Members have previously been informed of the North Norfolk, Great Yarmouth and Greater Norwich SFRA's, while the Waveney SFRA was in progress. Waveney District Council have now finalised their Strategic Flood Risk Assessments.
- 1.4 SFRA's are important pieces of evidence that support Local Plans.

2. About the Waveney SFRA

- 2.1 Produced and commissioned by Waveney District Council and completed by AECOM Limited, the SFRA covers the entire district of Waveney. It provides flood risk data that the Broads Authority will now use to guide planning applications. It is noted that while SFRA's are strategic in nature and applications in the Broads tend to require a site-specific flood risk assessment.
- 2.2 Two SFRA's were produced:

- a) Waveney District Council SFRA level 1 can be found here:
<http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/local-plan-background-studies/strategic-flood-risk-assessment-level-1-april-2018/>
- b) For information, although not necessarily of direct relevance to the part of Waveney within the Broads, Waveney District Council has produced a SFRA level 2 which assesses in more detail specific sites that are allocated in their Local Plan. <http://www.eastsuffolk.gov.uk/planning/local-plans/waveney-local-plan/local-plan-background-studies/strategic-flood-risk-assessment-level-2-april-2018/> :

3 Areas that have not been modelled

- 3.1 SFRA's use existing models. A large area of the Broads Authority Executive Area has not been looked at in detail as part of the four SFRA's. This area is the Broadland Flood Alleviation Project Area, for which a model is not available yet. An updated joint position statement was adopted by the Environment Agency and the Broads Authority on this issue¹.
- 3.2 In the Norfolk SFRA's, areas that are not modelled are shown as "indicative flood zone 3b". In the Waveney SFRA, areas that are not modelled are shown as "flood zone 3". The approach is the same even though the format of the presentation is different. It is a precautionary and pragmatic approach.
- 3.3 It is important to note that national policy requires all development proposals in flood zone 2 and 3 to be subject to a site-specific flood risk assessment (NPPF 2018 footnote 50) where the detailed flood risk on site is assessed, understood and addressed.
- 3.4 Appendix A illustrates the approach taken for the SFRA's in terms of the colour code used on the maps.

4 Impact on the Local Plan

- 4.1 The policies maps that show flood risk will be amended to reflect the most up to date data.
- 4.2 The constraints and features section of each site specific policy will be checked to ensure it reflects the flood zones as set out in the relevant up to date SFRA.
- 4.3 It is not envisaged that there will be changes that significantly impact the Local Plan. The Authority was consulted on the draft Waveney SFRA prior to submission of the Local plan and proposed some changes to the Inspector of the Broads Local Plan. The Authority has kept the Inspector informed of

¹ July 2018: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/1279736/Flood-Risk-and-Strategic-Flood-Risk-Assessment-Updated-Joint-Position-Statement-with-EA-pc200718.pdf

progress of the Waveney SFRA.

- 4.4 All changes to the Local Plan will be consulted on prior to the adoption of the Local Plan.

5 Financial implications

- 5.1 The Authority did not contribute to the Waveney SFRA. Officer time to make the necessary amendments to the Local Plan discussed previously is not significant.

6. Recommendation

- 6.1 That Planning Committee endorse the Waveney SFRA.

Background papers: None

Author: Natalie Beal

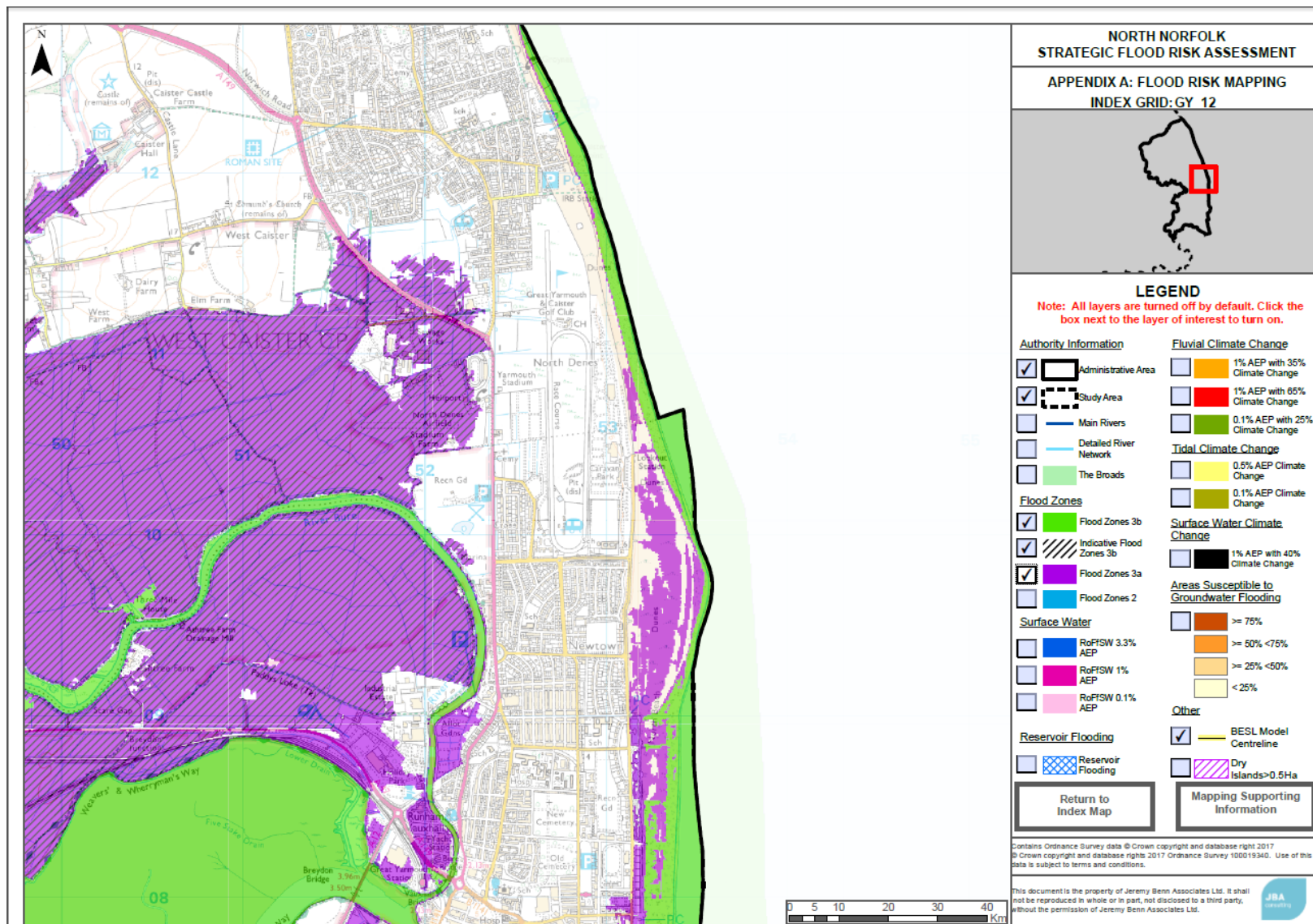
Date of report: 25 October 2018

Appendix A: Colour code for areas that are not modelled

Appendix A: Colour code for areas that are not modelled

Norfolk/Broads SFRA

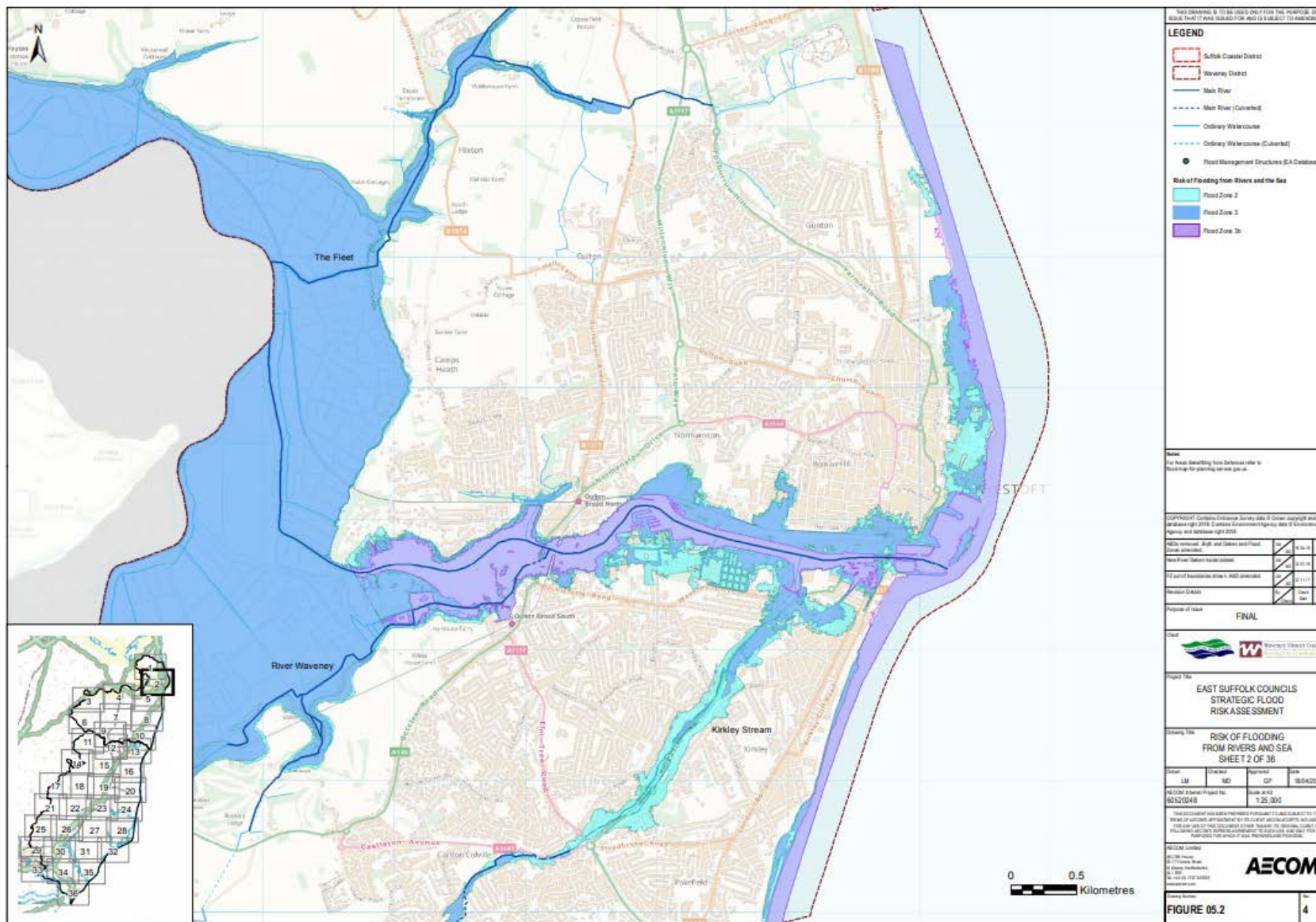
The areas which are not modelled are represented as Indicative Flood Zones 3b (stripes on purple). The modelled areas are represented as 3b (green) and 3a (purple).



Suffolk/Waveney/Broads SFRA

The areas which are not modelled are represented as flood zone 3 (the darker blue). The modelled areas are represented as 3b (purple).

<http://www.eastsuffolk.gov.uk/assets/Planning/Waveney-Local-Plan/Strategic-Flood-Risk-Assessment-Level-1/02-Figure-05-Risk-of-Flooding-from-Rivers-and-Sea-Part-1.pdf>



Wroxham Neighbourhood Plan – Proceeding to Publication

Report by Head of Planning

Summary:	Wroxham Parish Council intends to submit their Neighbourhood Plan on 2 November 2018. This timescale means that the Broads Authority report is not yet available. A full report on Wroxham Neighbourhood Plan will follow and will be sent to Members before the November Planning Committee.
Recommendation:	That this report be noted and the subsequent report be considered.

1. Background

- 1.1 Wroxham Parish Council has been developing a Neighbourhood Plan. The Parish Council applied to Broadland District Council and the Broads Authority as Local Planning Authorities (LPAs) in May 2017 to designate its Neighbourhood Area for the purpose of producing a Neighbourhood Plan and this was approved. Subsequently, the first draft of the Plan was the subject of consultation earlier this summer.
- 1.2 The next step in the process is for the Parish Council to submit its proposed Neighbourhood Plan, along with the necessary supporting information, to Broadland District Council and the Broads Authority.
- 1.3 These LPAs will then consider the submitted Plan and confirm that it complies with the criteria set out in Government legislation (the Neighbourhood Planning [General] Regulations 2012, as amended). Following such confirmation the Plan will be subject to a six week publication period, whereby representations can be made on its content.

2. Submission of the Neighbourhood Plan

- 2.1 Wroxham Parish Council intends to submit the proposed Neighbourhood Plan to the LPAs on 2 November 2018.
- 2.2 In order to progress the Plan expeditiously, and to avoid delays later in the process, it is useful to the Parish Council to be able to proceed promptly to consultation. The proposed submission date for the Neighbourhood Plan is after the deadline for the reports for inclusion in this agenda, but officers have agreed to prepare a report to follow in order that it may be considered at the 9 November meeting of the Planning Committee.

3. Financial implications

3.1 None

4. Recommendation

4.1 That this report be noted and the subsequent report be considered.

Background papers: None

Author: Cally Smith
Date of report: 25 October 2018

Literature Review: Broads Landscape Sensitivity Study for Renewables and Infrastructure
Report by Planning Policy Officer

<p>Summary: This literature review assesses the continued relevance of the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012) and concludes that the report is still relevant and still fit for purpose.</p> <p>Recommendation: That Planning Committee note the report and endorse the continued use of the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012) where relevant.</p>

1. Introduction

- 1.1 There is increasing demand for renewable energy but the infrastructure can impact on the nationally valued Broads landscape.
- 1.2 The Broads Landscape Sensitivity Study for Renewables and Infrastructure prepared by Land Use Consultants (2012)¹ assesses the sensitivity of the Broads landscape to wind and solar energy developments. This study assesses the impact of wind turbines and solar panels to provide criteria to planning applicants and inform policy. Its baseline is the Landscape Character Assessment and it should be read in conjunction with this.
- 1.3 The landscape sensitivity study was completed 6 years ago, which although relatively speaking is quite recent, other baseline document revisions have been made since its publication. It is therefore considered appropriate to conduct a literature review to ensure the document is still relevant and provide reassurance that the local plan has been positively prepared

1. Literature Review; Broads Landscape Sensitivity Study for Renewables and Infrastructure

- 1.1. The review is included at Appendix A. It assesses relevant more recent guidance and practice and compares the approach of the Authority's study against these. The assessment concludes that:
 - a) the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012) remains relevant.
 - b) the guidance reviewed and published since the study was compiled remains largely unchanged; many of the revisions lying within the more detailed guidance which would be more applicable at planning application stage.
 - c) Visually technology has also remained largely unchanged therefore concluding that the study remains fit for purpose.
- 2.2 Notwithstanding, that technology and the landscape are changeable over

¹ <http://www.broads-authority.gov.uk/planning/planning-policies/landscape-sensitivity-studies>

time, it is recommended that the Broads Authority conduct a review of;

- a) the technologies available every 5 years,
- b) the continued relevance of the Broads Landscape Character Assessment every 10 years, and
- c) subsequently the Sensitivity Study as appropriate.

3. Financial implications

- 3.1 The literature review/assessment was completed by the Authority's retained Landscape Architect consultant as part of the contract work.

Background papers: None

Author: Natalie Beal

Date of report: 18 October 2018

Appendices: Appendix A - Literature Review; Broads Landscape Sensitivity Study for Renewables and Infrastructure

**Literature Review;
Broads Landscape Sensitivity Study for Renewables and Infrastructure**

Prepared by Zoe Tebbutt CMLI
28.09.2018

Background and Context

The Broads Landscape Sensitivity Study for Renewables and Infrastructure prepared by Land Use Consultants (2012) assesses the sensitivity of the Broads landscape to wind and solar energy developments. Using this assessment as a baseline, the Renewable and Low Carbon Energy Topic Paper (2016) further explores the potential of wind and solar energy developments in areas deemed to be of moderate sensitivity², the lowest landscape sensitivity identified in the Broads Executive Area. The topic paper identifies a number of local constraints in the areas identified to be of moderate sensitivity, therefore making them unsuitable for development of wind sourced renewables.

The Broads Local Plan is now at the examination stage where the inspector has raised some questions around the preparation of the climate change policies³. The question of particular relevance to this review is under Matter 10, item C,

'Is the approach to wind turbine development in Policy PUBDM14 in line with the Written Ministerial Statement dated 18th June 2015?'

The Broads Authority has provided further clarification in their response to this question⁴, highlighting the relevant baseline information as briefly introduced above, and how policy conclusions have been reached. The response concludes that no areas were deemed appropriate for wind turbines in the Broads.

In order to further support the Broads Authority's position, this literature review will assess the continued relevance of the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012).

The landscape sensitivity study was completed 6 years ago, which although relatively speaking is quite recent, other baseline document revisions have been made since its publication. It is therefore considered appropriate to conduct a literature review to ensure the document is still relevant and provide reassurance that the local plan has been positively prepared.

Scope

Given that landscape effects and environmental constraints are the primary reasons for the lack of suitable areas for renewable wind development in the Broads, this review will

² Definition of moderate as per Landscape Sensitivity Study; Some of the key characteristics and qualities of the landscape are sensitive.

to change from the type and scale of renewable energy being assessed.

³ Broads Local Plan Examination, Matters, Issues and Questions, 18 May 2018. Matter 10 – Other Environment Policies

⁴ Broads Authority response to Matter 10 – other environment policies June 2018. Evidence base ref. BAS.10

focus on those documents concerned with the assessment and evaluation of landscape which have informed the production of the landscape sensitivity study.

These include;

- 1) National guidance for landscape character assessment
- 2) The Broads Landscape Character Assessment
- 3) Natural England Guidance including, Making Space for Renewable Energy: Natural England’s Approach to Assessing On-Shore Wind Energy Development. 2010. (Catalogue Code: NE254)
- 4) CPRE guidance including, tranquillity and intrusion mapping
- 5) Scottish Natural Heritage Guidance including, Visual Representation of Windfarms Good Practice Guidance. Although produced for Scotland, this is widely accepted technical guidance for the assessment of the impact of windfarms. 2006.
- 6) Landscape East Guidance on assessing the sensitivity of the landscape of the East of England. Prepared by Land Use Consultants. 2011.

The review will also take any new relevant UK guidance into consideration.

Review

1) National Landscape Character Assessment Guidance

Broads Landscape Sensitivity Study used	Publisher	Former Countryside Agency and Scottish Natural Heritage
	Date	2002
	Title	Landscape Character Assessment - Guidance for England and Scotland
	Author	Swanwick C and Land Use Consultants
Current Guidance	Publisher	Natural England
	Date	2014, minor revisions 2018
	Title	An Approach to Landscape Character Assessment
	Author	Christine Tudor

The Scottish Natural Heritage guidance has long been recognised as industry best practice for undertaking landscape assessments. Natural England more recently produced their own landscape character assessment guidance for England. First published in 2014, this new publication is highly influenced by the Scottish guidance as well as other more recent unpublished works by largely the same authors. In response to this new guidance, the Broads Landscape Character Assessment (LCA) was reviewed and republished (2016) in a more publically accessible format that better reflects the needs of users of the document within the authority.

The Broads Landscape Sensitivity Study uses the Broads LCA as a baseline for its sensitivity assessment, so it is imperative that the identified character areas reflect

national guidance in how they are defined, and that their key features remain applicable to the areas which they are attributed.

2) Local Landscape Character Documents

Broads Landscape Sensitivity Study used	Publisher	Broads Authority
	Date	2012
	Title	Broads Landscape Character Assessment
	Author	Broads Authority
Current Guidance	Publisher	Broads Authority
	Date	2016
	Title	Broads Landscape Character Assessment
	Author	Norwich City Council Design, Conservation and Landscape.

The Broads Landscape Character Assessment (LCA) was reviewed and updated in 2016 in order to ensure that the assessment was still representative of the local character areas and reflected the new assessment guidance published by Natural England. The review also sought to re-produce the document in a more accessible format for both the general public and local planning authorities, enabling landscape themes to be more easily interpreted and referenced throughout the emerging local Broads Local Plan and supporting documents.

Whilst the Sensitivity Study references the 2012 version of the Broads LCA, the landscape character areas and their key characteristics on which the Sensitivity Study is based, remain principally unchanged in the 2016 revision.

3) Natural England Guidance

Broads Landscape Sensitivity Study used	Publisher	Natural England
	Date	2010
	Title	Making Space for Renewable Energy: Natural England's Approach to Assessing On-Shore Wind Energy Development. (Catalogue Code: NE254)
	Author	Natural England
Current Guidance	Publisher	Natural England
	Date	2010
	Title	Making Space for Renewable Energy: Natural England's Approach to Assessing On-Shore Wind Energy Development. (Catalogue Code: NE254)
	Author	Natural England

The above Natural England Guidance used at the time of the Sensitivity Study remains unchanged.

4) CPRE Guidance

The guidance on tranquillity and intrusion mapping that can be accessed through the CPRE website⁵ has remained unchanged since the writing of the Broads Landscape Sensitivity Study. Publications include;

- Northumbria University (2008) Tranquillity Mapping: Developing a robust methodology for planning support. Revised.
- CPRE and Countryside Commission (2007) Intrusion Map: England
- Land-Use Consultants (2007) Developing an Intrusion Map of England
- CPRE (2006) Saving Tranquil Places; how to protect and promote a vital asset
- CPRE (2005) Mapping Tranquillity; Defining and assessing a valuable resource

5) Visual Representation of Windfarms Guidance

Broads Landscape Sensitivity Study used	Publisher	Scottish Natural Heritage
	Date	2006
	Title	Visual Representation of Windfarms; Good Practice Guidance. *
		*Although produced for Scotland, this is widely accepted technical guidance for the assessment of the impact of windfarms.
	Author	Scottish Natural Heritage
Current Guidance	Publisher	Scottish Natural Heritage
	Date	2017
	Title	Visual Representation of Windfarms; Good Practice Guidance. V2.2
	Author	Scottish Natural Heritage

Version 2.2 of the Scottish Natural Heritage Guidance was published in 2017 following the completion of a period of research into the use of windfarm visualisations and feedback from a steering group made up of relevant professionals, representatives of professional bodies, public bodies, and planning authorities. The Summary of Key Changes published in February 2017 by Scottish Natural Heritage highlights the key areas of the guidance which have been revised and clarified. Given that the Broads Landscape Sensitivity Study was not assessing the appearance of specific turbines in specific locations, it was assessing the effects that a turbine proposal of a certain scale would have on the key features of a particular character area, the revisions to this document are not considered to impact on the validity of the study.

⁵ CPRE, Land Use Consultants et al. Tranquillity and Intrusion Publications [Online] available at:

https://www.cpre.org.uk/resources?q=&filter_order=date&filter_order_Dir=desc&t%5B%5D=3481 (Accessed 28.09.2018)

6) Regionally Compiled Landscape Guidance

Current Guidance	Publisher	Landscape East
	Date	2011
	Title	Guidance on assessing the sensitivity of the landscape of the East of England
	Author	Land Use Consultants

Landscape East forum, established in 2004, brings together landscape, biodiversity, geodiversity, historic environment and spatial planning interests together to develop an East of England Landscape Framework. The forum is made up of relevant landscape professionals representing local authorities, statutory and non-statutory government agencies, other organisations and the private sector. Originally set up to aid in the preparation and review of the Regional Spatial Strategy, Landscape East has commissioned studies and championed a cross-disciplinary approach to the environment.

The Landscape East guidance proposes a method of assessing landscape sensitivity in the East of England. Whilst the Broads Landscape Sensitivity Study does not directly reference this guidance, it was produced by the same authors, Land Use Consultants, less than one year after the Landscape East publication and the methods are comparable. The Broads Landscape Sensitivity study is therefore still considered relevant and in line with regional guidance.

Other Guidance

Other Guidance	Publisher	Scottish Natural Heritage
	Date	2010
	Title	Landscape capacity studies in Scotland – a review and guide to good practice. <i>Scottish Natural Heritage</i> Commissioned Report No.385.
	Author	Grant, A. in association with Clarke, P. and Lynch, S.

Often used interchangeably, the terms "landscape capacity" or "landscape sensitivity" refer to landscape studies that assess a landscape's susceptibility to a particular type of development. This is considered to be a legacy of terminology that has evolved as the methods of landscape assessment have been developed and refined over time.

Whilst the Broads Landscape Sensitivity Study states at paragraph 3.18 that it does not comment on landscape capacity, it does make assessment as to the sensitivity of the different landscape character areas to different scales of wind and solar development both in terms of individual size and number of structures. The 2010 Scottish Natural Heritage study further clarifies that while often called 'capacity studies', they are more usually used to assess the sensitivity of landscape characteristics to a particular type of development, so that areas which do / do not have the potential to accommodate development can be mapped, alongside areas which are deemed to be particularly sensitive to that type of development (pp. 47, Para 8.1).

Whilst terminology has evolved over time, given the content and conclusions of the study by Scottish Natural Heritage, it is considered that the Broads Landscape Sensitivity Study was conducted appropriately and reflected best practice guidance at the time of writing.

New Publications

Publisher	Scottish Natural Heritage
Date	2015
Title	Spatial Planning for Onshore Wind Turbines – natural heritage considerations Guidance
Author	Scottish Natural Heritage

This new publication by Scottish Natural Heritage is by far the most influential spatial planning guidance produced with regard to wind turbines since the Broads Landscape Sensitivity Study was written.

The document sets out how to plan for onshore wind turbines and how landscape capacity studies⁶ can support the strategic planning process. Despite including requirements of the Scottish Planning Framework, as is to be expected, the process identified is broadly in keeping with the approach the Broads Authority has taken by undertaking the landscape sensitivity study. The process is set out as follows:

1. identifying landscape policy objectives;
2. identifying the inherent capacity of the landscape to accommodate wind turbine development;
3. assessing the degree of cumulative change that has resulted from the operating and consented wind turbines in the study area; and
4. assessing the level of further development that could be acceptably accommodated within areas without unacceptable negative cumulative effect.

(pp. 13)

With regard to landscape objectives that would apply, these are commonly viewed to be: landscape protection, accommodation or change. For the Broads area, a member of the national park family (a national landscape designation), the overriding objective must be landscape protection in the first instance, particularly where key features of a landscape character area are identified as sensitive to change.

Given the national status of the Broads administrative area, and the different development thresholds and pressures, it is considered that the Landscape Sensitivity Study and Broads Authority approach to assessing landscape suitability to wind turbine development can be likened to this more recent Scottish Natural Heritage guidance.

Other Considerations

Whilst landscape assessment techniques and best practice has been reviewed, the other variable with potential to render the Broads Landscape Sensitivity Study obsolete is technology, in particular the appearance of wind and solar technologies.

Whilst efficiencies have been made in this area, and technologies evolved, the appearance and scale parameters of renewable structures have not changed dramatically. Many landscape assessment guidance publications have however begun to

⁶ Often used interchangeably, the terms "landscape capacity" or "landscape sensitivity" refer to landscape studies that assess a landscape's susceptibility to a particular type of development.

integrate 'repowering'⁷ of existing wind turbines into their documents in preparation for potential changes to existing scenarios.

The Broads Landscape Sensitivity Study is therefore still considered relevant in respect of technology.

Conclusion

Despite the review and publication of new guidance, it is clear that the Broads Landscape Sensitivity Study for Renewables and Infrastructure (2012) remains relevant. Following comparable methodologies and continuing to reflect industry best practice, the guidance reviewed and published since the study was compiled remains largely unchanged; many of the revisions lying within the more detailed guidance which would be more applicable at planning application stage.

Visually technology has also remained largely unchanged therefore concluding that the study remains fit for purpose.

Notwithstanding, that technology and the landscape are changeable over time, it is recommended that the Broads Authority conduct a review of:

- the technologies available every 5 years;
- the continued relevance of the Broads Landscape Character Assessment every 10 years; and
- subsequently the Sensitivity Study as appropriate.

Should major change factors occur during intervening times e.g. sudden technological advance or significant landscape altering circumstances such as new and prevalent pest / disease, these reviews should be conducted sooner.

⁷ Definition: Repowering is the process of replacing older power generating technologies with newer ones that have greater capacity or more efficiency resulting in a net increase in the power generated.

Appeals to the Secretary of State: Update
Report by Administrative Officer

Summary: This report sets out the position regarding appeals against the Authority since 1 June 2018.

Recommendation: That the report be noted.

1 Introduction

1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since June 2018.

2 Financial Implications

2.1 There are no financial implications.

Background papers: BA appeal and application files

Author: Sandra A Beckett
Date of report: 25 October 2018

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since June 2018

APPENDIX 1

Schedule of Appeals to the Secretary of State received since 1 June 2018

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
Awaited	APP/E9505/W/18/3204127 BA/2017/1030/OUT BA/2017/0487/COND Hedera House The Street THURNE NR29 3AP Mr Richard Delf	Appeal against grant of Planning Permission with Conditions	Committee Decision on 18 August 2017/ 2 March 2018

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

**Broads Authority
Planning Committee**

09 November 2018

Agenda Item No.14

Summary: This report sets out the delegated decisions made by officers on planning applications from 27 September 2018 to 25 October 2018
Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
Beccles Town Council -				
BA/2018/0347/HOUSEH	Vista Puddingmoor Beccles Suffolk NR34 9PL	Mr Jackson	Replace windows and doors and erect new conservatory	Approve Subject to Conditions
Brundall Parish Council				
BA/2018/0168/FUL	Fencraft Riverside Estate Brundall Norwich Norfolk NR13 5PS	Fencraft Ltd	Demolition of existing storage building and erection of 2 bedroom holiday chalet.	Approve Subject to Conditions
BA/2018/0332/FUL	Blofield And Brundall Sea Scouts The Waterbase Hoboroughs Dyke Riverside Estate Brundall Norwich Norfolk NR13 5PN	1st Blofield And Brundall Sea Scouts	Replace quayheading & decking	Approve Subject to Conditions
Fleggburgh Parish Council				
BA/2018/0323/COND	Farmhouse Common Farm Silver Street Fleggburgh Norfolk NR29 3DB	Mr Peter Flowerdew	Variation of conditions 3, 4, 5, 6, 7, 8, 9, 10, 11 & 12 of permission BA/2017/0390/LBC - To divide the restoration of the farmhouse & subsequent new & conversion work into phases.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
BA/2018/0317/COND	Farmhouse Common Farm Silver Street Fleggburgh Norfolk NR29 3DB	Mr Peter Flowerdew	Variation of conditions 3, 4, 5, 6, 7, 8, 9, 10, 11, 13 & 16 of permission BA/2017/0389/FUL - To divide the restoration of the farmhouse & subsequent new & conversion work into phases.	Approve Subject to Conditions
Haddiscoe And Toft Monks PC				
BA/2018/0280/FUL	Marsh Farm New Cut Bank Road Haddiscoe NR31 9HY	Askew Marshes Partnership	Replacement dwelling	Approve Subject to Conditions
Horning Parish Council -				
BA/2018/0363/NONMAT	Woodside School Road Horning Norfolk NR12 8PX	Mr Paul Jeffery	Extend kitchen wall, revise angled wall of living room extension with fixed gable end window panel, non-material amendment to previous permission BA/2018/0041/HOUSEH.	Approve
BA/2018/0213/FUL	Babatra 18 Bureside Estate Crabbetts Marsh Horning Norfolk NR12 8JP	Mr Nicholas Watmough	Replacement dwelling	Refuse
Mautby Parish Council				
BA/2018/0348/HOUSEH	Cherry Tree Cottage Swim Road Runham Mautby NR29 3EH	Mr Robert Aldridge	Replace lean-to with pitched roof single storey extension	Approve Subject to Conditions
Mettingham Parish Council -				
BA/2018/0251/APPCON	Valley House Low Road Mettingham Suffolk NR35 1TS	Mr Trevor Lay	Details of Condition 3: Proposed Materials, Condition 4: Screen Walls and Fences, Condition 5: Window Joinery Details, Condition 6: Landscaping Scheme, Condition 11: Refuse Storage Details of permission BA/2015/0426/FUL.	Approve

Application	Site	Applicant	Proposal	Decision
Ormesby St Michael Parish Council				
BA/2018/0259/OUT	Nursery View Burghwood Road Ormesby St Michael NR29 3LT	G Miller	Outline application to erect 4 no. detached dwellings of 1.5 storeys high, with garages and access.	Refuse
Oulton Broad Parish Council -				
BA/2018/0341/FUL	The Commodore 15 Commodore Road Lowestoft NR32 3NE	Mr Colin Davison	Repairs to quay heading, mooring posts & installation of picket fence	Approve Subject to Conditions
Repps With Bastwick Parish Council				
BA/2018/0367/NONMAT	69 Riverside Repps With Bastwick Norfolk NR29 5JX	Mr Bobby Burrage	To swap the location of the window & the entrance door on the south elevation, non-material amendment to previous permission BA/2018/0224/HOUSEH.	Approve
BA/2018/0290/HOUSEH	The Barn Tower Road Bastwick Repps With Bastwick Norfolk NR29 5JN	Mrs Janet Trenton	Barn extension	Approve Subject to Conditions
BA/2018/0357/HOUSEH	Changi 68A Riverside Repps With Bastwick Norfolk NR29 5JX	Mrs Patricia Avery	Replace quay heading	Approve Subject to Conditions
Somerton Parish Council				
BA/2018/0337/APPCON	Ivy House Horsey Road West Somerton Somerton NR29 4DW	Mr R Davies & Ms S Burrell	Details of: Condition 3: Facing Materials, Condition 4: Rooflight, Condition 5: Window Details, Condition 6: External Materials and Condition 8: Access and Parking of permission BA/2018/0007/FUL	Approve Subject to Conditions
Stalham Town Council				
BA/2018/0304/HOUSEH	Mill House Mill Road Stalham NR12 9BT	Mrs Sally Gibbs	Extension and alterations to existing outhouse to form utility room.	Approve Subject to Conditions

Application	Site	Applicant	Proposal	Decision
Upton With Fishley Parish Council				
BA/2018/0351/HOUSEH	Dyke End 53 Boat Dyke Road Upton Norwich NR13 6BL	Mr William Leonard- Morgan	Construction of goat & sheep shelter	Approve Subject to Conditions
West Caister Parish Council				
BA/2018/0308/HOUSEH	Castle View West Road West Caister NR30 5SY	Mr Simon Marcantonio	Sand menage and hay store	Approve Subject to Conditions
Wroxham Parish Council -				
BA/2018/0321/HOUSEH	Willow Bend Beech Road Wroxham Norwich Norfolk NR12 8TP	Mr David Smith	Extend boat shed	Approve Subject to Conditions