

Planning Committee

Minutes of the meeting held on 24 May 2024

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Present

Harry Blathwayt – in the Chair, Bill Dickson, Tony Grayling, James Harvey, Martyn Hooton, Tim Jickells, Kevin Maguire, Leslie Mogford, Melanie Vigo di Gallidoro and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Nigel Catherall – Planning Officer, Ruth Sainsbury – Head of Planning and Cally Smith – Planning Consultant

Members of the public in attendance who spoke

No members of the public in attendance.

1. Apologies and welcome

The Chair welcomed everyone to the meeting. It was noted that Cally Smith had retired from the Head of Planning (HoP) position and was now supporting the planning team on a part-time consultancy basis. The Chair thanked Cally for her unwavering support to him and the committee and acknowledged the commitment, determination, courage and tenacity she had brought to the HoP role. Her in depth and expansive knowledge of planning within the Broads would be missed and the Chair was pleased that her expertise was still available to the planning team for a little while longer. The Chair welcomed Ruth Sainsbury, as the new HoP, to the committee.

Apologies were received from Stephen Bolt and Vic Thomson.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

2. Declarations of interest and introductions

Members indicated that they had no further declarations of interest other than those already registered.

3. Minutes of last meeting

The minutes of the meeting held on 26 April 2024 were approved as a correct record and signed by the Chair.

4. Matters of urgent business

There were no items of urgent business

5. Chair's announcements and introduction to public speaking

No members of the public had registered to speak.

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

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

7. Applications for planning permission

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

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

BA/2024/0115/FUL - Staithe Marsh House, Stalham

Change from 1 x 1-bed and 1 x 3-bed to 2 x 1-bed holiday lets, part change of use to Treatment Rooms including new yurt, changes to openings and new balcony.

Applicant: Richardsons Leisure Ltd

The Planning Officer (PO) provided a detailed presentation of the application that would involve altering the property, reducing the holiday let provision from 1 x 3-bed and 1 x 1-bed to 2 x 1-bed holiday lets, with the remaining space to be used as 3 treatment rooms, supplemented with a yurt in the rear garden providing a relaxation space for activities such as yoga. The existing 1-bed holiday unit would be retained at first floor level only and still accessed externally but via a new staircase to a balcony which would be sited to the rear wall of the rear projection of the dwelling. The proposed 1-bed unit would utilise the centre of the property, effectively the ground floor of the original 2-storey and half of the first floor. The treatment rooms would occupy the entire single storey side/rear extension. The yurt would be sited to the south-eastern corner of the site.

The site was located on the road named The Staithe located in the Stalham Staithe area and was within the Stalham Conservation Area. The subject site was to the north-western corner of the Richardsons Stalham site although it was clearly demarcated from the Richardsons site by virtue of its boundary treatments and access.

The PO indicated that the application was before the committee as the applicant was a Member of the Navigation Committee.

The presentation included a location map, two site maps at differing scales, the site marked within a map of the Stalham Conservation Area, an aerial photograph showing the site boundary, a photograph of the front of property taken from the road, a photograph taken from the road showing the separation between the property and the Old Granary, a photograph of the rear of the property showing the existing metal staircase, a photograph taken from the southern boundary to the rear of the property looking north, a plan diagram of

the site showing the location of the yurt and proposed planting, a diagram of the north-west elevation of the yurt, a diagram showing the existing ground and first floor plan views with equivalent views depicting the proposed changes, a diagram depicting the existing south-west and south-east elevations and the equivalent elevations with the proposed changes marked, a photograph of the rear of the property, a photograph of the rear of the Old Granary and a photograph taken from the top of the existing staircase looking north-west showing an area to the rear of the Old Granary and its boundary with the Museum of the Broads.

Since the report had been published a further representation had been received from the Museum of the Broads. They had raised no objection with the application; however, they had concerns regarding possible additional on road parking arising from the site and asked whether Richardsons Leisure could provide parking from their adjacent site.

In assessing the application, the PO addressed the key issues of principle of development, the appearance of the alterations, the impact on neighbouring amenity and the impact on highways.

The PO explained that the retention of two holiday lets was in keeping with its existing use and this development was considered acceptable in principle.

The surrounding area of the site was a mix of residential and commercial properties and the proposed conversion of part of the property as treatment rooms was considered to be in character with the Stalham Staithe area. This new use was considered to be a low key provision and was not deemed to be an over-extensive use of the site.

The majority of the proposed alterations to the external appearance of the buildings, consisting mainly of changes to openings, were considered to be modest. The changes to the rear of the building relating to the provision of the first floor balcony and its staircase access from the ground floor would not alter the form of the building and were considered acceptable in design terms.

The Authority's Historic Environment Manager had raised no objection to the external alterations to the property or the yurt and these changes were not considered to be detrimental to the Conservation Area.

The provision of the balcony would increase the potential for overlooking of the neighbouring property's garden space. To mitigate this loss of privacy it was proposed to include a privacy screen to the side of the balcony.

The yurt was considered to be modest in size, measuring 6.5m in diameter and 3.7m in height, and would be situated 23m away from the boundary with the neighbouring residential property. Given the size of the yurt, its distance from the neighbouring property and its stated purpose as "a relaxation space" the yurt would not have an unacceptable impact on neighbouring amenity.

Richardsons Leisure would provide parking at their adjacent site and would notify anyone booking the holiday lets and treatment rooms of this off-site parking.

The Highways Authority had raised no objection to the proposal subject to its usage being by appointment only.

The PO recommended that planning permission be granted subject to conditions detailed in section 8.1 of the report with an amendment to condition vi to limit the yurt's purpose to a yoga and relaxation space.

In response to a question the PO confirmed that restricting the site's parking to the adjacent site was not within the scope of planning. The PO explained that the situation regarding parking arrangements related to the site's existing use and Richardsons would not seek to jeopardise relations with their neighbours.

It was noted that no representations had been received from neighbouring properties and that the Old Granary was a holiday let.

Members supported the application for being consistent with existing uses within the area and for its admirable use of an old building.

Tim Jickells proposed, seconded by Leslie Mogford and

It was resolved unanimously to approve the application subject to the following conditions:

- i. Time limit**
- ii. In accordance with plans**
- iii. Short term holiday use only, register of bookings**
- iv. Treatment rooms by appointment only and 1 to 1 treatments only**
- v. Treatment rooms and yurt opening hours 8am to 7pm Monday to Saturday only (as per application form)**
- vi. The use of the yurt shall be for yoga and a relaxation space only, by appointment only, no music**
- vii. Yurt used in connection with this business/site only and no separate use**
- viii. Screen planting shown on approved plan P04 Rev.C as 'Proposed Planting / Vegetation To Provide Natural Screening To Yurt' shall be planted prior to first use of yurt**
- ix. Balcony privacy screen to be installed prior to first use of holiday let**
- x. Provision of woodcrete bat box**
- xi. Provision of woodstone house sparrow nest box**

8. Enforcement update

Members received an update report from the Planning Consultant (PC) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Land at the Beauchamp Arms Public House (Unauthorised static caravans)

At the Hearing, held at Norwich Crown Court on 14 May 2024, the Judge had heard the defendants' grounds for dismissal and ruled against dismissal. The Judge was satisfied that there was enough evidence to support a prosecution and the three defendants (the operating company, the company director and a person of significant control) all pleaded not guilty. The trial date was set for 23 June 2025 with a pre-trial hearing scheduled for 9 June 2025.

Holly Lodge, Church Loke, Coltishall (Unauthorised replacement windows in listed building)

The PC indicated that discussions were ongoing and it was still the intention to resolve this matter without recourse to serving the previously agreed Enforcement Notice if possible.

9. Reedham Neighbourhood Plan – proceeding to referendum

The Planning Policy Officer (PPO) introduced the report, which sought approval for the Reedham Neighbourhood Plan proceeding to referendum. The Plan had been subject to an independent examination and endorsed, with some changes, for referendum. The PPO noted that two proposed local plan policies had been deleted at the request of the Examiner.

Fran Whymark proposed, seconded by Bill Dickson and

It was resolved unanimously to support the Examiner's report and support the Reedham Neighbourhood Plan proceeding to referendum.

10. Belton with Browston, Burgh Castle and Fritton with St Olaves Neighbourhood Plan – Agreeing to consult

The Planning Policy Officer (PPO) introduced the report, which sought agreement for public consultation to go ahead on the Belton with Browston, Burgh Castle and Fritton with St Olaves Neighbourhood Plan.

Tony Grayling proposed, seconded by Martyn Hooton and

It was resolved unanimously to endorse the Belton with Browston, Burgh Castle and Fritton with St Olaves Neighbourhood Plan, Regulation 16 version for consultation.

11. Hoveton Neighbourhood Plan – Area designation consultation

The Planning Policy Officer (PPO) introduced the report, which detailed the application by Hoveton Parish Council to become a neighbourhood area.

A Member expressed their disappointment that an agreement to share the work and costs of producing a neighbourhood plan, that incorporated Wroxham, had not been secured by Hoveton and Wroxham Parish Councils.

Fran Whymark proposed, seconded by James Harvey and

It was resolved unanimously to endorse the designation of Hoveton as a neighbourhood area.

12. Can Float and Do Float Buildings and the Broads

The Planning Policy Officer (PPO) presented the report which provided an update on the Floating Buildings topic paper previously discussed at committee on 2 February 2024. The PPO had completed an investigation into applications at Eel Pie Island on the River Thames and a summary of these applications could be found at appendix 1 of the report. This analysis had revealed that since the early 2000s, in accordance with new (at the time) restrictions imposed by national flood risk policy, no net new dwellings had been permitted on this site. The PPO indicated that only replacement homes had been permitted since this tightening of national flood risk policy, which were permissible as they equated to no net change to the site's flood risk. The PPO had incorporated this analysis into the Floating Buildings topic paper and explained that the conclusion of this topic paper would remain unchanged i.e. the promotion of floating buildings was contrary to national flood risk policy and would not be supported by the Broads Local Plan. The PPO had also investigated the can float dwelling at Brundall Riverside and this had been permitted in the early 2000s, again before flood risk rules were tightened.

A Member spoke in favour of floating buildings in the Broads highlighting their improved appearance and accessibility in comparison with existing solutions where waterside properties were being propped up to mitigate flooding. The PPO responded that applications to replace existing waterside buildings with a floating equivalent would be considered and the Authority would seek additional improvements to mitigate flood risk.

Leslie Mogford proposed, seconded by Martyn Hooton and

It was resolved unanimously to endorse the Floating Buildings topic paper.

13. Five year review of the 2019 Local Plan

The Planning Policy Officer (PPO) presented the report which provided a review of the 2019 Broads Local Plan at its five year milestone. The PPO explained that this review responded to standard questions within a template provided by the Planning Advisory Service. The review reflected the fact that the 2019 Local Plan was completed as per the 2012 National Planning Policy Framework transitional arrangements. The PPO summarised that the housing need had changed since the 2019 Local Plan was adopted and that the Local Plan policies were being reviewed in preparation for a new Local Plan submission in June 2025. The PPO emphasised that the reason for the current review of the Local Plan was not because there were issues with the currently adopted Local Plan. The review of the Local Plan was an undertaking that

was agreed when the Local Plan was adopted and was commensurate with the National Planning Policy Framework that stated that a local plan review should take place “at least once every five years”.

Tony Grayling proposed, seconded by Tim Jickells and

It was resolved unanimously to endorse the five year review of the 2019 Local Plan.

14. Broads Local Plan Local Development Scheme

The Planning Policy Officer (PPO) presented the report which sought approval for a revised timeline for producing the Local Plan, known as the Local Development Scheme, in readiness for its submission to the Examiner in June 2025. The PPO indicated that the timeline for the East Norwich Masterplan Supplementary Planning Document (SPD) had been revised. This SPD was expected to be adopted during the first three months of 2025 (and not March to July 2024 as indicated in appendix 1 of the report).

The PPO indicated that the recently completed Local Plan Preferred Options consultation had elicited 700 comments. Members were concerned about the resulting scale of possible rework to the Local Plan and were keen that adequate time was provided for Members to review any reworking of the Local Plan policies. The PPO responded that, based on her understanding of the comments reviewed so far, she did not anticipate any fundamental changes to the Local Plan. The PPO reminded Members that they had already undertaken substantial reviews of each part of the Preferred Options version of the Local Plan and therefore the remaining review effort would be considerably reduced. The PPO indicated that any new policies and evidence base would come before Planning Committee, but not each section as was the process for the Preferred Options. It was anticipated that around November, a marked up version of the Local Plan would come to committee for approval to consult. Further information on managing the next phase of changes to the Local Plan would be presented in a report for the next Planning Committee meeting.

Tim Jickells proposed, seconded by Bill Dickson and

It was resolved unanimously to endorse the Broads Local Plan Local Development Scheme.

15. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – Q1 (1 January to 31 March 2024)

The Planning Consultant (PC) introduced the report, which provided the development management statistics for the quarter ending 31 March 2024. The PC highlighted that all major and minor applications had been determined within statutory timescales or within an agreed extension of time (EOT) as shown in table 2 (of the report) and exceeded the national performance indicators as shown in table 3 (of the report).

The PC noted the good results and provided further analysis in the context of the new EOT national targets to be implemented 1 October 2024 (as discussed at Planning Committee 26

April 2024). The PC indicated that minor applications EOT performance¹ was 37.5%, other applications EOT performance² was 44.4%³ providing an aggregated EOT performance of 41.9%. The new minor and other applications EOT national target would be 40% and the performance in quarter one 2024 would have failed to achieve this target. The new EOT national target for major applications would be reduced to 50%. Only one EOT would be permissible for all application types.

The PC explained that the planning team had begun to implement new routines to ensure that EOT usage improved in the coming months to ensure compliance with the new national targets. The following changes, targeted for 1 July 2024, would need to be implemented:

- The planning team would insist on all necessary information being supplied before validating an application.
- The process regarding consultations and amendments would have to be tightened up and it was likely that only one round of amendment and re-consultation would be permitted.

The PC confirmed that all agents and applicants who regularly interact with the Authority would be notified of the finalised changes beforehand. The Head of Planning highlighted that the new EOT measures were being applied nationally therefore agents and applicants would be receiving similar messages from other Local Planning Authorities. In response to a question the PC indicated that the planning information available on the Authority's website would be updated accordingly.

The report was noted.

16. Customer Satisfaction Survey 2024

The Planning Consultant (PC) introduced the report that analysed responses to a questionnaire issued to all planning applicants who received a decision in the first quarter of 2024. The PC highlighted that the average marks for all five assessment categories were greater than 4.5 (out of 5). The low number of respondents warranted a degree of caution when interpreting the results however, given the greater motivation of respondents when they received poor customer service, the positive marks were indicative that on the whole customers were satisfied with the service they received.

The report was noted.

¹ Minor applications EOT performance derived from table 4 in appendix 2 of the item 15 report.

² Other applications EOT performance derived from table 4 in appendix 2 of the item 15 report.

³ At the meeting the Other applications EOT performance figure was quoted as 46.7% however this incorrectly included data associated with Certificates of Lawful Development which is excluded from these measures (as per footnote 4 of table 3 in appendix 2 of the item 15 report).

17. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting. The Planning Consultant highlighted that three appeal decisions had been received all of which had been dismissed.

18. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 15 April 2024 to 10 May 2024 and two Tree Preservation Orders confirmed within this period.

19. Date of next meeting

The next meeting of the Planning Committee would be on Friday 21 June 2024 10.00am at The King's Centre, 63-75 King Street, Norwich, NR1 1PH.

The meeting ended at 11:23am.

Signed by

Chair