

Broads Authority

Planning Committee

Minutes of the meeting held on 1 February 2013

Present:

Dr J M Gray – in the Chair

Mr M Barnard
Miss S Blane
Prof J A Burgess
Mr N Dixon

Dr J S Johnson
Mr A S Mallett
Mr P E Ollier
Mr R Stevens

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr S Bell – for the Solicitor
Mr B Hogg – Historic Environment Manager
Ms A Long – Director of Planning and Strategy
Ms L Marsden – Landscape Architect
Mr A Scales – Planning Officer
Ms C Smith – Head of Development Management
Miss K Wood – Planning Assistant

The meeting stood in silence for a few moments in memory of those who had lost their lives during the flooding event of 31 January 1953.

8/1 Apologies for Absence and Welcome

Apologies for absence were received from Mr C Gould and Mr M T Jeal.

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

8/2 Declarations of Interest

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

8/3 Minutes: 4 January 2013

The minutes of the meeting held on 4 January 2013 were agreed as a correct record and signed by the Chairman subject to the inclusion of the word “not” on page 6 (Minute 7/8(1)), third paragraph.

8/4 Points of Information Arising from the Minutes

No points of information were reported.

8/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

8/6 Chairman's Announcements and Introduction to Public Speaking

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

(2) **Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the revised Code of Conduct for Members and Officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

8/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer any applications had been received.

8/8 Applications for Planning Permission

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

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

(1) **BA/2012/0338/CU Whitlingham Lane, Trowse with Newton**
Change of use application for use of two fields as touring campsite for a temporary period of three years
Applicant: Ms Linda Robey

The Planning Officer explained that the application was for change of use of two fields covering approximately 1.5ha for all year round use as a campsite offering 60 camping pitches and up to eight bell tent pitches with ancillary facilities as well as reception and store building, toilet and shower blocks and static caravan for on-site manager's accommodation. Permission was being sought for a temporary three year period as the landowners were in the process of consulting on a Masterplan for the whole of the Whitlingham Country Park site and this particular site may not be the one finally chosen. An application for a permanent campsite was likely to include replacement of the cabins

and toilet blocks with an appropriately designed building to accommodate those facilities. The present proposed facilities were very functional in appearance and would not meet the high standard of design required for permanent facilities. The application had been accompanied by a financial business plan and the three year temporary period would enable the viability of the enterprise to be assessed. It was not intended to use the site for touring caravans. The Planning Officer assured members that by granting temporary permission for the use, this should not set a precedent either for permanent use or for a campsite within other areas of the Country Park.

Having provided a detailed assessment of the application, including criterion (i) to (l) of Policy DP 26, the Planning Officer concluded that the proposal was consistent with the thrust of development plan policy, and other sustainable tourism initiatives. The location, scale and the nature of the camp site (and functional ancillary facilities) appeared acceptable and would not unacceptably impact on the landscape setting or the visual amenities of the area or country park. He therefore recommended approval subject to conditions.

Having sought reassurances on a number of issues, including parking and the need for a licence for the site, members concurred with the officers' recommendation. Although it was recognised that it was not a planning issue, it was noted that there would be issues of risk management given the proximity of the site to a water area. There would be collective responsibility between the parties within the country park and various actions would be appropriate. This also emphasised the need for the on-site manager accommodation.

RESOLVED unanimously

that a three year temporary planning permission be approved subject to conditions as outlined within the report and an Informative relating to the need for a caravan site licence. It was therefore considered to be consistent with the provisions of development plan policies and other sustainable initiatives most notably CS1, CS9, CS11, CS12 of the adopted Core Strategy and Policies DP14, DP15 and DP26 of the adopted Development Management Policies DPD plus advice contained in the National Planning Policy Framework.

(2) **BA/2012/0277/LBC Manor House Farm, Dunburgh Road, Geldeston**

Retrospective application for internal and external alterations to a Grade II Listed Building including removal and replacement of render and plaster in places and replacement of various features
Applicant: Mr John Hastings-Payne

The Planning Assistant explained that regrettably this was a retrospective application for internal and external alterations to the

Grade II Listed detached farmhouse of Manor House Farm, Geldeston. However, the application was accompanied and supported by a thorough and complete Heritage Statement which gave a full assessment of and justification for the works carried out and those proposed. These would help to safeguard the importance of the building in the future. The most significant alteration had been the replacement of the windows but these were now of a single fenestration pattern in high quality materials. The two outstanding issues related to the render, part of which still remained on the side of the property facing the highway, and the detail of the replacement of the kitchen mullioned window.

Since the report had been written, no further consultation responses had been received. The applicant had provided a statement together with additional photographs showing the condition of the building prior to some of the works being carried out, and these had been circulated for members' information. In addition, the applicant had provided further suggestions for detailed work to the kitchen window, which officers had not yet had sufficient time to assess but could be dealt with by condition.

In conclusion, the Planning Assistant considered that, although there had been some level of alteration, on balance and in the main these alterations, together with those proposed, would have a negligible impact on the character of the Listed Building and overall significance of the heritage asset. Ultimately they would have a beneficial effect and would help to secure the longevity of the Listed Building. The recommendation was for approval subject to conditions.

With regard to the request to leave the flint work exposed on part of the building, the Historic Environment Manager commented that the flint work on one bay of the house was very different from the others and he concurred with the expert opinion initially provided by the applicant that there was no evidence that this had previously been exposed. The gable above the porch was timber framed and it was appropriate for this to remain rendered. In addition, whilst the removal of the hard cement render to the front elevation of the house was supported, reinstatement of a lime render to the kitchen bay only on this elevation was, on the evidence submitted and in his opinion, the correct treatment in order to retain the building's historic character. With regard to the kitchen window, although there was no evidence as to the condition of the original window before replacement, it was considered that it had been an integral historic feature that should be replaced like for like.

Members concurred with the officers' assessment and that the extent of the rendering and details of the kitchen window be delegated to the officers to negotiate with the applicant on a suitable solution.

RESOLVED unanimously

that the application be approved subject to conditions outlined within the report (with the deletion of “removal” in relation to render) as the proposal is considered to accord with the Local Development Plan and in particular Policy CS5 of the Core Strategy (2007) and Policies DP4, DP5 and DP28 of the Development Management Policies DPD (2011) and the National Planning Policy Framework (2012) a material planning consideration.

- (3) **BA/2012/0344/FUL Mill Farm, Pyes Mill Road, Loddon**
Conversion of redundant barn to 2 no. self catering holiday lets
Applicant: Mr Paul Mattocks

The Planning Assistant explained that the proposal involved the conversion of a redundant brick barn at Mill Farm, Pyes Mill Road, Loddon to form two units of holiday accommodation. Each unit would provide self-contained accommodation providing a kitchen/living/dining area, bathroom and two bedrooms. In order to facilitate this, the two single storey buildings which were situated at the front of the barn were proposed to be removed as well as the tin shed which was situated to the rear. The site, which formed part of a 2ha agricultural holding, was adjacent to the Loddon and Chedgrave Conservation Area. Since the report had been written two further consultations had been received:

- the Highways Authority – no objections subject to additional conditions; and
- the Local District Member – welcomed the additional tourist facilities and bringing barns back into a useable condition and therefore in support of the application.

The Planning Assistant recommended approval as it was considered that the principle of the development was acceptable and in accordance with the NPPF as well as Broads Authority Core Strategy and Development Management policies as it would help support a prosperous rural economy and improve the offer of facilities for tourism. It was considered that there would be no adverse impact on the character of the host building, the landscape or the adjacent Conservation Area, or the highway safety, protected species or neighbour amenity, and there were sufficient facilities and infrastructure to support the development. She recommended additional conditions in accordance with those suggested by the Highways Authority as well as that requiring the demolition of the redundant buildings stated in the application prior to the commencement of works for the conversion of the barn.

Members concurred with the officers' assessment and welcomed the proposal. They were assured that the holiday occupancy restrictions would be more stringent and specific in terms of holiday use than those which had been imposed historically. With regard to the enhancement

of biodiversity, it would be the responsibility of the applicant to employ a licensed ecologist to provide details on this prior to the works being carried out.

RESOLVED unanimously

that the application be approved subject to the conditions as outlined in the report, with as robust holiday accommodation conditions as possible, additional highway conditions as suggested by the Highways Authority and a condition requiring demolition of the buildings stated in the application, prior to the commencement of the works on the barn. The development is considered to accord with the National Planning Policy Framework (2012) which is a material planning consideration, and Development Plan Policies, in particular Policies CS1 and CS5 of the Core Strategy (2007) and DP2, DP4, DP5, DP11, DP15, DP21 and DP28 of the Development Management Policies DPD (2011).

8/9 Consultation on Planning Application:

(1) Waveney District Council: Erection of single wind turbine on site at Laurels Farm, Shipmeadow (BA/2012/0393/WINDTUR)

The Committee received a report and detailed presentation supported by the Landscape Architect, relating to an application to be determined by Waveney District Council for the erection of a single 80m high wind turbine on a site at Laurels Farm, Shipmeadow. Members were reminded of the applications they had considered and objected to previously and which had been refused by Waveney District. The Authority had provided expert landscape advice to Waveney District Council and would continue to do so. Members gave considerable attention to the National Planning Policy Framework as well as the need to reduce contributions to climate change and support for renewable sources of energy. They noted the assessment taking account of the Authority's Landscape Character Study and the capacity study for renewable energy sources in relation to that study and the conclusions in relation to sensitivity and magnitude.

Members concurred with the officers' assessment and considered that the landscape character of this part of the Broads would be seriously compromised by the proposed turbine development. The significance of the potential effects on the scenic and special qualities, enclosure and scale, skylines, perception and experience of the landscape and historic landscape character would be substantial across parts of the area and would be unacceptable. In addition, the potential adverse impact on visual amenity for users of the Broads would be unacceptably high.

Members were also mindful of the work being undertaken to secure the undergrounding of overhead electricity cables over the Barsham Marshes within the Waveney Valley, and considered that the approval

of the wind turbine scheme would neutralise those improvements and this should be drawn to the attention of the determining authority. They also supported a holding objection in relation to the potential adverse impact on protected species in the absence of more detailed investigations including a Habitats Regulations Assessment.

Whilst the contribution of the proposed wind turbine to meeting the objectives of the UK Renewable Energy Strategy (2009) was recognised, it was not considered that this could be used to justify the significant and adverse impact on the protected landscape of the Broads which should be given great weight in accordance with the NPPF, and therefore members endorsed the conclusion that the proposed scheme was unacceptable.

RESOLVED

that the Authority informs Waveney District Council that it raises a strong objection to the application on grounds of adverse impact on the sensitive landscape of the Broads as it is considered to be contrary to the guidance within the NPPF, as set out in the report.

- (2) **Broadland District Council: Erection of up to 3,520 dwellings, 16,800 m² employment space, 8,800 m² shops, services, cafes and restaurants plus hotel accommodation, 2 schools, community space, energy centre, cycle and vehicle parking, public open space and accesses on site between Wroxham Road, Sprowston and St Faiths Road, Old Catton (BA/2012/0349/NEIGHB)**

The Committee received a report relating to an application submitted to Broadland District Council upon which the Authority was being consulted. This was for a major urban extension between Wroxham Road, Sprowston and St Faiths Road, Old Catton to the north of Norwich, which would have a significant impact on the local area for a prolonged period. The scheme was part of the overall growth planned for Greater Norwich. The site was not immediately adjacent to the Broads so the direct impacts would be limited. However there was likely to be an increase in visitor pressure on the Broads as a consequence of the population growth, although it was recognised that visitor numbers also contributed to the Broads economy. Therefore the need to manage that pressure required attention.

Members concurred with the officers' assessment and endorsed the comments made within the report. In accordance with previous consultations they also considered that comments concerning water capacity and quality should also be given emphasis.

RESOLVED

that no objection be raised to the proposals but that the comments within the report be forwarded to Broadland District Council and in

particular that the green infrastructure component be strengthened to improve bio-diversity and increase habitat resilience and that enhanced bio-diversity measures are incorporated. It is also recommended that the developer consider bio-diversity off-setting. In addition the Authority highlighted the issue of water capacity and quality and that this should be taken into account.

8/10 South Walsham Conservation Area Re-Appraisal: Consultation

The Committee received a report setting out the detailed appraisal work that had been carried out on a proposed South Walsham Conservation Area prior to a public consultation exercise, based on the approach incorporated into the Authority's Strategic Proposals. As the majority of the proposed designation was within Broadland District Council's area, the appraisal was instigated and had been carried out by its officers in consultation with those of the Authority. Members considered that the draft appraisal and the draft proposed boundary identified by the map was worthy of Conservation Area designation and that public and stakeholder consultation was required. They noted the details of the proposed consultation process which was to be organised and funded on behalf of both authorities by Broadland District Council.

Following the consultation exercise, a report would be brought back to the Planning Committee for consideration as to whether or not to formally designate a Conservation Area in the parish of South Walsham for those parts of the area within the Broads Executive boundary.

RESOLVED

that the report be noted and the South Walsham Conservation Area Draft Appraisal be endorsed for public consultation.

8/11 Flood and Water Management Act 2010

The Committee received a report on the Flood and Water Management Act 2010 and its implications for the Authority. The report summarised the number of statutory duties and responsibilities for managing flood risk, which were set under the legislation for Norfolk and Suffolk County Councils as Lead Local Flood Authorities (LLFA). The Authority was not a Risk Management Authority. Members noted the key roles and requirements of the LLFAs. In particular, it was noted that there were a number of options open to the County Councils as LLFAs as to how to deal with sustainable urban drainage schemes (SUDS), which would require approval in addition to any approval required under planning or building regulations. It was considered that it would not be a function that the Authority would wish to deal with as the resource requirement would be considerable and the approval process covered specialist technical matters. It was considered that an approach which dovetailed with the planning process would be preferable to a stand alone process operated by the LLFA.

RESOLVED

that the report be noted.

8/12 Consultation Documents Update and Proposed Responses

The Committee received a report which provided an outline of and the proposed response to the recently received consultation document from the Department for Communities and Local Government on:

(1) The External Review of Government Planning Practical Guidance (following the Taylor Report on the External Review of Government Planning Practice Guidance)

Members noted the provisions of the consultation exercise. In particular, members supported officers in the identification of those guidance areas which had been most valuable and considered that emphasis should be given to the elements where there would be a detrimental loss, especially PPS25.

RESOLVED

that the proposed response be endorsed.

(2) Sizewell C

It was noted that at the Broads Authority meeting on 18 January 2013, a member had mentioned the proposals for the development of Sizewell C in Suffolk, with specific reference to potential traffic problems in the Broads area, and had made a request that the implications of the proposals be referred to the Planning Committee. The Director of Planning and Strategy confirmed that the proposals were not yet at the planning application stage. EDF energy was in the process of carrying out fact-finding local consultations, but there was no documentation readily available upon which to comment at present.

Members considered that the application would be beyond the remit of the Authority and noted the situation.

8/13 Enforcement Update

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

RESOLVED

that the report be noted.

8/14 Appeals to the Secretary of State: Update

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

RESOLVED

that the report be noted.

8/15 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 18 December 2012 to 21 January 2013.

RESOLVED

that the report be noted.

8/16 Circular 28/83: Publication by Local Authorities of Information about the Handling of Planning Applications

The Committee received a report setting out the development control statistics for the quarter ending 31 December 2012. The percentage number of applications dealt with within 8 weeks had decreased to 64%. This was due in part to staff sickness. Other reasons were the deferral of an application for a site visit and further negotiations and clarification of matters on other applications. Members considered that this demonstrated the due weight given to the special qualities of the area.

RESOLVED

that the report be noted.

8/17 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 1 March 2013 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

It was noted that the next HARG meeting would be held on Thursday 28 March 2013 instead of 1 March 2013.

The meeting concluded at 1.17pm

CHAIRMAN

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date: 1 February 2013

Name	Agenda Item/Minute No(s)	Nature of Interest (Please describe the nature of the interest)
A S Mallett	General 8/3 8/9(ii) 8/13	Minutes Regurgitation of declarations as per previous meeting Application to be considered by Broadland District Council – as member of Broadland District Council Norwich Frostbite Sailing Club (NFSC) – non pecuniary
S Blane	8/8(1)	Trustee – Whitlingham Charitable Trust
M Barnard	8/9(i) and 8/11	Member of Waveney District Council, Suffolk County Council - blanket dispensation