

**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 Hemsall

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 28<sup>th</sup> 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 Hemsall 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:
  - 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;
  - 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;
  - 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
  - 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 Hempsall 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

## APPENDIX 1

### Code of Conduct for Members

#### Declaration of Interests

**Committee:** Planning Committee

**Date of Meeting:** 12 October 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
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