

Planning Committee

Minutes of the meeting held on 24 June 2022

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Present

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Stephen Bolt, Nigel Brennan, Bill Dickson, Andrée Gee, Gail Harris, Paul Hayden, Tim Jickells, James Knight, Leslie Mogford, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer (minute taker), Kate Knights– Historic Environment Manager, Cheryl Peel – Senior Planning Officer, Marie-Pierre Tighe – Director of Strategic Services and Sara Utting – Senior Governance Officer

Steven Bell (solicitor) of Birketts attended for items 8 & 9.

Members of the public in attendance who spoke

None.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Michael Scott.

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

3. Minutes of last meeting

The minutes of the meeting held on 27 May 2022 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. The Chair announced that following the last meeting, a member had subsequently apologised for a comment they made during the debate of the enforcement item relating to the Beauchamp Arms. The Chair read out the apology: "I very much regret the controversy caused by my comments at Planning on Friday (27 May 2022). Of course, I am happy to apologise for any offence which, in no way, was intentional. The matter concerned had been much debated and, having been a major issue for several years, the atmosphere was quite intense. With hindsight, I realise that I could have expressed my opinion somewhat differently."

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

There were no applications for consideration.

8. Governance - amendment to Scheme of Delegation to include enforcement matters

The Senior Governance Officer (SGO) introduced this item by confirming the actions that arose from the debate on this topic at the Broads Authority meeting 13 May 2022. The SGO explained that the proposed wording change had been updated to clarify that an enforcement matter relating to a member or officer of the Authority would only be brought to committee if it was deemed to be "a breach of planning control". The SGO indicated that the report had been updated to include affirmations to these proposed changes from the solicitor for the Authority and the Monitoring Officer. The SGO explained that the report now included examples of similar provisions within the Scheme of Delegations from other National Park Local Planning Authorities.

The SGO highlighted a correction to section 1.2 of the report where a reference to councillors should be replaced by Broads Authority members.

A member noted that this report was a considerable improvement on the previous version (presented to the Planning Committee on 29 April 2022) and had now addressed the risk of unjustifiable complaints being brought to committee. The member questioned whether this change was necessary given that it was only addressing the scenario where no action would be taken. This specific scenario raised a concern with the member about the fairness of bringing it to the committee. The member believed that in this circumstance, unlike an enforcement where action was required which might end up in court, the member or officer of the Authority involved in the enforcement would not be able to present their case. The member also questioned the timing of this change and felt that, like previous changes to the Social Media Policy, Scheme of Delegation and Code of Conduct, it was an overreaction. The

member proposed updating the wording in 3.7 of the report to reference “a **material** breach of planning control”.

Another member also voiced their support for this updated report and seconded the proposed update to section 3.7. The member confirmed that this report was clearer in its objectives and, having voted against it previously, they were in support of the proposed changes.

One member commented that the restriction to a material breach would result in more enforcement matters being processed by officers and thus would reduce the transparency of these decisions when a member or officer was involved. The solicitor for the Authority added that planning officers would be familiar with the term material in the context of planning considerations and, in his view, it was within their capability to resolve in this circumstance.

Another member spoke in favour of the report which would provide greater transparency to these matters and removed the planning enforcement officer from a potential conflict of interest. The member acknowledged that these changes should not be necessary but it was prudent to be proactive and avoid having to address such governance matter while dealing with a live situation involving a member or officer.

James Knight proposed, seconded by Fran Whymark and

It was resolved unanimously to

- **recommend to the Broads Authority that a new section (46) be added to the planning section of the Scheme of powers delegated to the Chief Executive and other authorised officers to read “The determination of enforcement cases is considered to fall within the delegation scheme and will be undertaken by officers, unless any Authority member (including co-opted members of the Navigation Committee) or Authority officer is involved in a material breach of planning control”, and**
- **to delegate authority to the Director of Strategic Services to make the necessary changes to the Local Enforcement Plan.**

9. Enforcement update

In the absence of the Head of Planning Members received an update report from the Director of Strategic Services on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Land at the Beauchamp Arms (Unauthorised static caravans): First meeting with solicitors regarding commencement of prosecution had taken place 22 June 2022.

Blackgate Farm, High Mill Road, Cobholm: A site visit was planned for week commencing 27 June 2022.

Land east of North End, Thorpe next Haddiscoe: A site visit on 22 June 2022 had revealed that the majority of the clearance work had been completed.

Land at the Beauchamp Arms (Unauthorised development): Enforcement Notices (ENs) associated with the workshop and kerbing and lighting would take effect 29 June 2022 (this was also the deadline for the operator of the Beauchamp Arms to appeal these ENs).

10. Draft Design Guide for consultation

The Historic Environment Manager (HEM) provided an overview of the report into the creation of the Broads Authority's Design Guide. The National Planning Policy Framework (NPPF) was updated last year and a new requirement was for Local Planning Authorities (LPAs) to prepare design guides consistent with the principles set out in the National Design Guide and National Model Design Code (both of which were also published in 2021).

Government advice indicated that public consultation is integral to the development of design guides and codes and should take place throughout the development lifecycle. The LPA for the Broads surveyed residents, visitors and users of the Broads to assess what was important to them about the Broads built environment and received approximately 150 replies. A key message from these responses was that people valued the traditional buildings and their setting within the Broads landscape. The LPA for the Broads along with consultants used the survey results to create an initial draft of the Design Guide.

The first part of the Guide covered the 6 main building types representing those buildings most commonly presented in development management terms within the Broads. The second part of the Guide was the design code which sets out requirements or guidelines that should be adhered to. This section focussed on urban design principles with additional architectural detailing.

The next stage of consultation would be run concurrently with the Local Plan consultation scheduled for early August 2022 and would run over 10 weeks. The Guide would be available for review and feedback online as well as at drop in locations in northern, central and southern areas of the Broads. The HEM explained that the co-ordination with the Local Plan consultation was not just beneficial in terms of resources but might also attract a wider audience than that usually associated with just a design guide consultation.

A member voiced their support for the Design Guide and confirmed that South Norfolk District Council had found their Design Guide to be beneficial when dealing with developers.

Some members were concerned by a perceived trade-off between sustainability and affordability or aesthetic appearance and affordability. The HEM did not believe that these paired elements were mutually exclusive; the Design Guide did promote activities to reduce the carbon footprint associated with a development however it did not mandate them. Similarly building requirements now expected certain thermal efficiencies to be achieved and solutions were available where these standards could be met without sacrificing the aesthetic characteristics of a development. A member commented that the Design Guide was more focussed on the quality of a development rather than the aesthetics and included sustainability and environmental factors such as Nutrient Neutrality.

Members asked if the Design Guide would stifle innovative contemporary design such as that demonstrated by the Garden Room at Norfolk Mead, Coltishall. The HEM explained that the Design Guide was not prescriptive and should not restrict designs.

The Chair thanked the HEM for her work on this matter.

Vic Thompson proposed, seconded by Stephen Bolt and

It was resolved unanimously to approve public consultation for the Broads Authority Design Guide.

11. East Suffolk Affordable Housing SPD for endorsement

The Planning Policy Officer (PPO) introduced this report on endorsing the East Suffolk Affordable Housing SPD. The PPO explained that the Broads Authority was not a housing authority and as such deferred to East Suffolk Council (and other Councils as relevant) in this regard and the Broads Local Plan made reference to this situation. Liaising with East Suffolk Council, the SPD also reflects this situation. The PPO concluded that it would be prudent to acknowledge this interdependency by the Authority endorsing the East Suffolk Affordable Housing SPD.

Gail Harris proposed, seconded by Fran Whymark and

It was resolved unanimously to recommend that the Broads Authority endorses the East Suffolk Affordable Housing SPD.

12. Coastal Adaptation SPD - update

The Planning Policy Officer (PPO) provided an update on the Coastal Adaptation SPD prepared by the partnership of East Suffolk Council, Great Yarmouth Borough Council, North Norfolk District Council, the Broads Authority, and the shared Coastal Partnership East team (first brought to Planning Committee 17 July 2020). The PPO confirmed that the next version of this document was expected to be available by the end of the year for consultation.

A member was very impressed with the co-operation and co-ordination demonstrated by the partnership on this matter.

Members were interested in when the impacts of sea level rise on inland areas would be considered. The PPO responded that this issue would be looked into as the next iteration of the Local Plan is produced. The Director of Strategic Services (DoSS) added that the Planning Committee would be briefed on coastal adaptation options as a precursor to considering equivalent options inland. A member referenced the work underway by the Norfolk Strategic Flooding Alliance, chaired by Lord Dannatt, that was also assessing inland flood risks and mitigations.

In response to a member's question, the DoSS explained that roll-back is a planning process whereby assets at risk are relocated to less vulnerable locations.

The Chair thanked the PPO for her work on this matter.

The report was noted.

13. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to the Hemsby Parish Council Neighbourhood Plan (NP) Regulation 14 consultation.

The PPO had provided detailed feedback ready for this NP to proceed to the next stage.

Stephen Bolt proposed, seconded by Harry Blathwayt and

It was resolved unanimously to note the report and endorse the proposed response.

14. Local Plan Issues and Options Bite Size Pieces

The Planning Policy Officer (PPO) introduced the report, which provided members with sections of the emerging draft Issues and Options stage of the Local Plan, as part of the review of the Local Plan, and inviting members' thoughts and comments. The areas covered were: Housing needs study and associated narrative section, Gypsy and traveller and residential caravans needs study and associated narrative section, Residential caravans needs section, Call for sites for residential dwellings and moorings (Broads-wide) plus residential caravans and gypsy and traveller sites (Great Yarmouth Borough) and Design section.

The PPO confirmed that the updated Issues and Options ready for consultation would be brought to the Planning Committee next month for endorsement.

Housing needs study

The PPO explained that the Broads Authority, along with other National Parks (NPs), were not subject to the Government's Standard Methodology and therefore a consultant was commissioned to assess the housing need for the Broads. This study had been produced in conjunction with Great Yarmouth Borough Council (GYBC) and the PPO announced that the projection was for 17.9 new homes per year in the Broads. The PPO confirmed that the average for new homes permitted in the Broads, as set out in the Annual Monitoring Reports, was approximately 16 per year over the previous 3 years although at these low numbers the figures were prone to a high degree of variance. The PPO confirmed that these figures factored in empty homes including holiday rental properties.

Gypsy and traveller and residential caravans needs study

The PPO explained that this study had been produced in collaboration with GYBC and reflected a need that was demonstrated by a recent unauthorised encampment in the Broads part of the Borough. In response to a question from a member the PPO confirmed that the Broads area in previous and current iterations of the Local Plan had no need for Gypsy and traveller and residential caravans. The need for 10 Gypsy and Traveller pitches and 12 residential caravans was focussed on Great Yarmouth Borough and the Local Plan would seek sites for Gypsy and Travellers and residential caravans in the Broads part of Great Yarmouth in the call for sites.

Gypsy and traveller and residential caravans needs section

A member welcomed the inclusion of this section within of the Local Plan as a proactive step to supporting these needs.

Call for sites for residential dwellings and moorings (Broads-wide) plus residential caravans and gypsy and traveller sites (Great Yarmouth Borough)

The PPO confirmed that the study associated with residential moorings would be available at the next Planning Committee meeting. This call for sites would be facilitated through an online survey portal (Survey Monkey) and the PPO explained that the questionnaire and use of Survey Monkey had undergone testing by officers.

A member questioned the relevance of the reference to Nutrient Neutrality as this requirement did not apply to the entire Broads Executive Area. The PPO responded that this requirement was qualified within this section to the Broads Special Area of Conservation catchment.

Design section

The PPO confirmed that this section was included to highlight the joint consultation with the Design Guide.

Each study and section were unanimously endorsed for inclusion in the Local Plan.

15. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting.

16. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 18 May to 10 June 2022 and any Tree Preservation Orders confirmed within this period.

17. Date of next meeting

The next meeting of the Planning Committee would be on Friday 22 July 2022 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting ended at 11.19am.

Signed by

Chair

Appendix 1 – Declaration of interests Planning Committee, 24 June 2022

Member	Agenda/minute	Nature of interest
Andrée Gee	11	East Suffolk Councillor - other registerable interest.

DRAFT