

Broads Authority

Planning Committee

Minutes of the meeting held on 2 April 2015

Present:

Mr C Gould – in the Chair

Mr M Barnard
Prof J Burgess
Mr N Dixon
Mrs L Hemsall
Mr G W Jermany

Mr R Stevens (Minute 10/9
onwards)
Mr J Timewell
Mr P Warner

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr B Hogg – Historic Environment Manager
Mr P Ionta – Solicitor and Monitoring Officer
Ms A Long – Director of Planning and Resources
Mr A Scales – Planning Officer (NPS)
Ms K Wood – Planning Officer

Members of the Public in attendance who spoke:

**BA/2015/0068/FUL Compartments 37 - Floodbank at Fishley
Marshes: Right bank Of River Bure immediately upstream of
Northern Rivers Sailing Club clubhouse**

Mr J Halls BESL on behalf of Applicant

**BA/2015/ BA/2015/0062/HOUSEH Wroxham - Staithcote, Beech
Road, Wroxham**

Mr A Knights On behalf of Applicant

10/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting particularly members of the public.

Apologies were received from: Mrs J Brociek-Coulton, Miss S Blane and Dr J M Gray

10/2 Declarations of Interest

The Chairman declared a general interest on behalf of all members in relation to Application BA/2015/0072/FUL as this was a Broads Authority application. Members indicated that they had no other declarations of pecuniary interests other than those already registered.

10/3 Minutes: 6 March 2015

The minutes of the meeting held on 6 March 2015 were agreed as a correct record and signed by the Chairman.

10/4 Points of Information Arising from the Minutes

Minute 9/10 Enforcement Update: BAM Nuttall Office and Equipment

It was confirmed that BESL had contacted the Parish Council and they (BESL) will have completed the removal of the BAM Nuttall Office and equipment from the site at Acle by the end of May 2015.

10/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

10/6 Chairman's Announcements and Introduction to Public Speaking

(1) Heritage Asset Review Group

The Chairman announced that the HARG meeting would follow this meeting of the Planning Committee.

(2) Staff Movements

The Chairman announced that Kayleigh Wood would be changing roles within the Authority. She had resigned as Planning Officer to take up a new role with Heritage England but would still be working with the Authority as Planning Officer (Compliance and Implementation) as from 1 May 2015. It was therefore unlikely that Kayleigh would be attending Planning Committee meetings in the future

(3) 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. No member of the public indicated that they intended to record or film the proceedings.

10/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests had been received.

10/8 Applications for Planning Permission

The Committee considered the following application 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/2015/0068/FUL Compartments 37 Floodbank at Fishley Marshes: Right bank of and River Bure immediately upstream of Northern Rivers Sailing Clubhouse**

Installation of Crest Piling

Applicant: Environment Agency

The Planning Officer provided a detailed presentation of the proposals for crest raising and piling along a 237 metre length of flood bank in Compartment 37 of the Broadland Flood Alleviation Project, given the need to raise the bank where the new floodbank works undertaken in 2009/10 had settled significantly due to the poor ground conditions. It was emphasised that the crest piling technique was to be used in order to protect the botanically rich County Wildlife Site. The proposals would involve the temporary diversion of the public footpath from along the riverside but this would only be for a limited amount of time while the works were undertaken. The landowner had given permission for BESL to use the existing access track for the necessary work vehicles.

The Planning Officer drew attention to the consultation responses and reported on the further consultation responses received since the report had been written namely:

- Upton Parish Council – support
- Environment Agency – no objections
- Natural England – no objections
- NSBA – no objections subject to conditions to cover no working on weekends or bank holidays and if any works took place which impacted on the river itself, proper and appropriate marking should be in place.

Having provided a detailed assessment against the Authority's policies taking account of the main concerns and issues relating to navigation, recreation, highways and ecology, it was concluded that the works would return defences to the level proposed in 2008 in a manner that avoided impacting upon the botanically rich fen meadow and had no unacceptable impact on recreation, flood risk or other interests. The imposition of planning conditions would ensure that the proposal would meet the key tests of development plan policy and would be consistent with NPPF advice. It was therefore recommended for approval subject to conditions and an informative.

In response to a Member's concerns, over the use of the access route and footpath, Mr Halls on behalf of the Applicant clarified that the access which impacted on the Acle to Upton footpath route would not involve any footpath closure and appropriate signage would be put in place. He also confirmed that, subject to approval, it was intended that the works would be undertaken over a maximum 6 week period in the Autumn outside the main holiday season and associated works would be undertaken in tandem. This had been agreed with Norfolk County Council Highways. Although the footpath closure would be technically for a period of six months, it should be possible for the crest piled area to be open for public access as soon as it was completed.

Members considered that the work was essential and having sought clarification on the footpaths, concurred with the officer's assessment, particularly on the basis of the conditions to be imposed.

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report and an informative requiring

- the permission to be granted in the context of the Memorandum of Understanding between the Authority and the Environment Agency on 25 April 2003.

It is considered that the works are in accordance and consistent with the aims of the development plan policies particularly Policies CS1, CS2, and CS4 of the Core Strategy (adopted in 2007) and Policies DP1, DP13 and DP29 of the Development Management Plan DPD (2011) and the National Planning Policy Framework (NPPF).

(2) **BA/2015/ 0062/HOUSEH Wroxham - Staithecote, Beech Road, Wroxham**

Demolition of existing garden sheds and erection of domestic outbuilding incorporating summerhouse, storage and water treatment housing

Applicant: Mr Jonathan Edye

The Planning Officer explained that the application was before Committee as the applicant was connected to a member of the Authority's staff. He provided a detailed presentation of the proposal within the Wroxham Conservation Area for an ancillary domestic building to replace three sheds. The building would incorporate a summer house, facilities for storage and housing for water treatment, was sympathetically designed with materials sensitive to the setting and would remain subordinate to the main dwelling and therefore was considered to enhance the Conservation Area.

The Planning officer updated members on the consultations received since the report had been written:

- Wroxham Parish Council – no objections
- Broads Society – no objections
- Broads Authority Ecologist – no objection subject to conditions relating to the timing of the works to avoid the bird breeding and nesting season and environmental enhancements.

The Planning Officer concluded that the application would have no unacceptable impact in relation to flood risk, ecological or landscape considerations, was consistent with policy and was therefore recommended for approval.

In accordance with the Authority's Code of Conduct for Members on Planning Committee and Officers, the Solicitor and Monitoring Officer confirmed that he was satisfied that the application had been processed normally

Mr Anthony Knights, the agent for the applicant confirmed that the proposals included voluntary replacement planting and would involve undergrounding of wires which would also enhance the area.

Members concurred with the Officer's assessment and it was

RESOLVED unanimously

that the planning application be approved subject to conditions as outlined within the report to include the landscaping scheme submitted and an additional condition relating to the timing of the works. The application was considered to be in accordance with development plan policy, in particular Policies CS1 of the adopted Core Strategy 2007 and Policies DP1, DP2, DP4 and DP 5 of the Development Management Plan DPD (2011) and the National Planning Policy Framework (NPPF).

(3) **BA/2015/0072/FUL Cary's Meadow, Thorpe Road, Thorpe St Andrew, Norwich**

Improvements and extension to existing car park with new fencing, tree works (approved), new livestock corral and landscaping.

Applicant: Broads Authority

The Planning Officer provided a detailed presentation of the application. She explained that since the writing of the report and consultations having been received from the Tree Officer, the application had been amended to accommodate the comments which involved the rearrangement of the allocated car parking spaces away from the existing trees, repositioning of the gates and the livestock corral. The Tree Officer had also suggested a post protection plan for the trees and replacement planting if the new planting did not survive.

In addition consultations had also been received from the Authority's Ecologist stating that there were no objections subject to conditions

relating to the timing of the works outside the bird nesting and breeding season. Norfolk County Highways had also requested that the parking be set back 5 metres from the road.

The Planning Officer recommended the amended application for approval subject to conditions including those requested by the Ecologist, Tree Officer and NCC Highways as the development was appropriate, well screened and would complement the existing site and there would be no adverse impact on highway safety, landscape, ecology or amenity.

Members expressed some concerns relating to the use of the area, the limitations on space and raised potential traffic management issues. However, in general they considered the application to provide suitable, appropriate and worthwhile enhancements. The area would be the subject of monitoring in accordance with normal officer duties.

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report as well as additional conditions concerning Tree protection and timing of works as suggested by the Tree Officer, the Ecologist and NCC Highways. The application is considered to be in accordance with the aims of the development plan policies particularly with Policies DP1, DP2, DP4, DP5, DP11, DP27 DP28 and DP29 of the Development Management Plan DPD (2011) and the National Planning Policy Framework (NPPF).

10/9 Enforcement of Planning Control: Enforcement Items for Consideration Update

No. 1 and No 2 Manor House Farm, Oby

The Committee received a progress report on the work being undertaken to the Grade 2 Listed Building at Manor House Farm building in order to rectify the unauthorised work. It was noted that an order had been placed for the manufacture of windows to replace those which were in breach of planning consent. It was noted that the work which would be phased had commenced and part was expected to be completed in early April 2015.

Members noted the sensitivities involved and welcomed the considerable progress which had been made.

RESOLVED

that the report be noted and welcomed.

10/10 Heritage Asset Review Group: Membership

The Committee received a report relating to the membership of the Member Heritage Asset Review Working Group set up in 2010 to provide officers with direction concerning the protection of Heritage assets within the Broads Area. The Group was made up of 5 members but in light of the recent departure of Dr Stephen Johnson and Mrs Julie Brociek-Coulton who was standing down as from 1 May 2015, members were requested to appoint two members in their place. Jackie Burgess had attended and expressed her willingness to become a full member of the group. Peter Warner had also expressed a willingness to be part of it. It was noted that this did not preclude other members from becoming involved.

RESOLVED

that Prof Jackie Burgess and Peter Warner be appointed as members of the Heritage Asset Review Group in addition to the Chairman and Vice-Chairman of the Planning Committee and Mr Michael Barnard.

10/11 Appeals to Secretary of State and Annual Review of Appeal decisions 2014/15

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since 1 March 2015. In addition the report provided a review of the eight decisions made by the Secretary of State over the last year. Since the writing of the report, the Planning Inspectorate had turned away the appeal relating to Thorpe Island (former Jenners Basin) against non-determination of the application for a variation of conditions.

RESOLVED

That the report be noted.

10/12 Enforcement Update

The Committee received an updated report on enforcement matters already referred to Committee and provided further information on the following:

Land at North End Thurlton.

Members welcomed the information that the costs of direct action had been paid and therefore the case was closed.

Land at Newlands Caravan Park, Geldeston

A meeting had been held with the landowner on 24 April in order to provide pre-application advice. Any application submitted would be brought to the Planning Committee for consideration.

RESOLVED

that the report be noted.

10/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 24 February 2015 to 23 March 2015.

RESOLVED

that the report be noted.

10/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 1 May 2015 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich,

The meeting concluded at 11.05 am.

CHAIRMAN

Code of Conduct for Members**Declaration of Interests****Committee:** **Planning** 2 April 2015

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
All Members	10/8(3)	Application BA/2014/0072//FUL As Members of the Broads Authority