

**Broads Authority**  
**Planning Committee**

Minutes of the meeting held on 22 June 2018

Present:

In the Chair - Mrs Melanie Vigo di Gallidoro

Prof J Burgess  
Mr W Dickson  
Ms G Harris  
Mr B Keith

Mr P Rice  
Mr H Thirtle  
Mr V Thomson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)  
Mr N Catherall – Planning Officer (Minute 12/8(2))  
Mr D Harris – the Solicitor and Monitoring Officer  
Mrs K Judson – Planning Officer (Minute 12/8(3) & (4))  
Mr C Pollock – Planning Assistant  
Ms C Smith – Head of Planning  
Mrs M-P Tighe – Director of Strategic Services

Members of the Public in attendance who spoke:

**BA/2018/0152/FUL Mill View, Meadow Chapel Road, Runham,  
Mautby**

Mr Graham Lindsay	Objector
Mr David Watts	Applicant

**BA/2017/ 0168/FUL 4 Bureside Estate, Crabbetts Marsh, Horning**

Mr Peter Jackson	Applicant
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**12/1 Apologies for Absence and Welcome**

The Chair welcomed everyone to the meeting.

Apologies had been received from Mr Mike Barnard, Mrs Lana Hempsall and Mr John Timewell.

**12/2 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 Chair introduced and welcomed Calum Pollock as the new Planning Assistant.

### **12/3 Minutes: 25 May 2018**

The minutes of the meeting held on 25 May 2018 were agreed as a correct record and signed by the Chair.

### **12/4 Points of Information Arising from the Minutes**

#### **Greater Norwich Development Partnership**

The Chair reported that she had attended the meeting of the Greater Norwich Development Partnership Forum on Tuesday 19 June 2018. The Forum was not a decision making body but made recommendations to the three Local Planning Authorities (Broadland, Norwich and South Norfolk). The Authority was involved as an interested partner and as part of the Duty to Co-operate. The main items of discussion had been the outcome of the consultations on the Greater Norwich Local Plan focussing on the proposed 7,200 houses for 2036, with over 4,000 responses received; and the time line for the next steps. The partnership had recommended that the plan be extended to 2021 so as to take account of the newly submitted sites and to give opportunity for further consultation.

#### **Broads Local Plan**

The independent public examination was due to take place between 2 – 6 July 2018 and 16 – 20 July 2018. Members had been notified of the dates and all were welcome to attend as observers at some stage if they wished.

### **12/5 To note whether any items have been proposed as matters of urgent business**

No items of urgent business had been proposed.

### **12/6 Chairman's Announcements and Introduction to Public Speaking**

#### **(1) The Openness of Local Government Bodies Regulations**

The Chair gave notice that the Authority would be recording the meeting in the usual manner and in accordance with the Code of Conduct. No other member of the public indicated that they would be recording the meeting.

#### **(2) Public Speaking**

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee and members of the public were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented. They were reminded that as the meeting was being recorded, any information they provided should be appropriate for the public. They were requested not to give out any sensitive personal

information unless they felt this was necessary to support what they were saying and would not mind others being aware of it.

## **12/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer consideration of any applications had been received. The Chair commented that she did not intend to vary the order of the agenda.

## **12/8 Applications for Planning Permission**

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the 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/2018/0152/FUL Mill View Meadow, Chapel Road, Runham, Mautby** 4 Glamping pods and associated facilities  
Applicant: Mr David Watts

The Head of Planning provided a detailed presentation and assessment of the application to develop a parcel of agricultural land of less than an acre, to site four cedar clad glamping pods and associated facilities including car park. The purpose was to provide a form of farm diversification. The site had views out across the marshes to the river and the glamping pods would be provided with all facilities including those for cooking, washing and toilet and would be connected to a septic tank, therefore avoiding the need for a separate shower/toilet block on site. The majority of the site would remain open and the pods would be situated at the back of the site in order to reduce the visual impact into the landscape and they would be well screened. The applicant had prepared a management plan for the site, which included a proviso that there should be no noise after 10pm.

The Head of Planning drew attention to the consultations received stating that one further letter had been received since the report had been written in support of the application on the basis that the development would help to encourage local tourism.

The Head of Planning pointed out that the paragraphs 28 and 115 of the NPPF and DP14 were most relevant in assessing the application and carefully took into account each of the criteria.

The Head of Planning concluded that the proposal for 4 glamping pods and associated car park was acceptable in principle. Although there were landscape impacts these were not considered to be of such a

magnitude as to justify a refusal of planning permission, and there were also benefits to the rural economy. There would also be no significant impact on the highway network, ecology or neighbouring amenity. The proposal was therefore considered to be in accordance with the relevant Development Plan Policies, in particular satisfying the criteria of Policy DP14, the NPPF and it was recommended for approval.

Mr Graham Lindsey, a local resident explained that although he objected to the current application, he considered that it might be more acceptable if certain aspects were addressed. These included a more detailed and sensible layout of the site to take account of the proximity of neighbours, restriction on tents and any other camping provision, appropriate noise restrictions, and a rejection of all year round use, the latter points being of considerable concern to the parish council.

Mr David Watts, the applicant explained that he farmed 200 acres of predominantly arable land and there was a considerable need to diversify due to the removal of the farm payments. He considered that being within the Broads National Park, the site was geographically well placed to provide some form of tourism facility, being an attractive meadow site especially with its open marsh views. The current use of the site had limited income generation. He had examined other locations but none were as suitable either practically, as attractive or any further away from residential properties. He had no intention of further expansion as he wished to maintain a peaceful character for the site, attracting those who appreciated it as such and wished to have quiet enjoyment. He explained that the site would be well screened and the indicated layout was the most suitable. Having taken advice from others with experience, only 1 car parking space per pod was to be provided in the informal car park area, and this was considered appropriate. There could be other space available within his operation if required. He explained that he lived within the village not far from the proposed site and he would be the point of contact if there were any problems. It was intended to employ local people to help manage the site. He assured the Committee that the site would operate a no noise after 10pm policy which would be monitored.

Members expressed some concerns about the management of the site, possible noise management and its enforcement and had sought reassurances from officers and the applicant on these points. They took account of the distances of the proposal from other residential properties. In general they supported the application since it appeared to be an appropriate form of development in the context of the whole site and was a suitable diversification conforming to sustainable tourism. It was an opportunity to enjoy the national park landscape in a quiet way. They were assured that the owner was located within the vicinity and accepted that the quiet use being advocated was appropriate. The fact that the development would contribute to local employment and the local economy was helpful. They considered that the conditions for the management of the site should specifically

include the display of contact details of the owner, and highlight the policy of no noise after a specific time, but did not propose further conditions to this effect.

Jacquie Burgess proposed, seconded by Vic Thomson and it was

RESOLVED by 6 votes to 0 with 1 abstention.

that the application be approved subject to the conditions outlined within the report, taking account of the concerns about management and noise. The proposal is considered to be acceptable in respect of Planning Policy and in particular in accordance with the National Planning Policy Framework and Policies DP1, DP2, DP4, DP11, DP14, DP15 and DP28 of the Development Management DPD, as the development is considered an appropriate form of farm diversification protecting rural employment, with no significant adverse impact on the landscape, neighbouring amenity, highway network or ecology subject to the recommended conditions.

**(2) BA/2017/0168/FUL 4 Bureside Estate, Crabbetts Marsh, Horning**  
Single storey dwelling for holiday accommodation use  
Applicant: Dr Peter Jackson

The Planning Officer provided a detailed presentation and assessment of the application to provide a single storey three bedroomed dwelling for holiday accommodation on a site that had extant planning permission (granted in 1997). Officers were satisfied that the development had commenced with the provision of piles for the approved dwelling and these would be used for the new proposed dwelling. The application was before Committee as a number of local objections had been received. The Planning Officer explained that the proposed building was to be set slightly further back from the river than the original proposed dwelling, would provide a more contemporary standard of accommodation by increasing the size and making alterations to the appearance. There was a mix of residential and holiday dwellings in the area and it was not unusual for holiday accommodation. The proposal also included extending the cut further into the land and removing the slipway. Therefore the works would not impede navigation of this stretch of the river.

The Planning Officer drew attention to the neighbour objections, reading out the main details, as set out in the report.

In assessing the application the Planning Officer gave consideration to the main issues relating to the site. The site was outside the development boundary, however, it benefited from extant planning permission (BA/1997/2191/HISTAP) and was in effect an application to vary a condition on the consent, and the principle had been established. The other main issues were design, landscape, amenity, flood risk, impact on the Horning catchment water recycling centre,

biodiversity and trees. The Planning Officer emphasised that the site benefited from an extant permission, sought to update the design which was simple and of a reasonable scale. Therefore it would not be detrimental to the character of the area and would not unduly impact on the amenity and privacy enjoyed by neighbouring residents. In conclusion the Planning Officer recommended approval subject to conditions.

Mr Peter Jackson the applicant explained that he had purchased the plot in 2016 and at every stage had sought the advice of the Authority's officers for which he expressed appreciation. He confirmed that he was intending to use the existing piles and aimed to update the design of the property to make it more economically viable. He had been advised that his original proposed height for 1 ½ storeys would not be appropriate and therefore he had amended the design which also helped to minimise overlooking. He also proposed to install a grey water recycling system as suggested and in accordance with the Environment Agency's details. He considered the revised proposal would meet with the Authority's policies.

Members were mindful of the objections but accepted that planning permission already existed. They considered that the plot was in a very prominent site and had been derelict for some time creating an eyesore in the river scene. They considered that the proposal was an improvement on the extant permission and would bring the development into the 21<sup>st</sup> century. The grey water recycling scheme was to be welcomed. They supported the application.

Paul Rice proposed, seconded by Haydn Thirtle and it was

RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. The proposal is considered to be in accordance with Policies CS1 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP12, DP13, and DP28 of the Development Plan Document (2011), Policy HOR1 of the Site Specific Policies Local Plan and the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment, and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

- (3) **BA/2018/ 0154/FUL Former site of the Broads Hotel Cottage, Station Road, Hoveton**  
Temporary 5 year approval for 38 space public car park, plus widening of footpath  
Applicant: Mr E Roy

The Planning Officer provided a detailed presentation and assessment of the application for a temporary 38 space public car park with

associated landscaping whilst a percentage of the car parking for the Roy's Department Store (Forge House) was displaced due to works being undertaken to construct a sizeable extension at the store. Part of the proposal also included widening of the footpath along Station Road. The site was at present being used as a temporary works compound under permitted development rights, but it was intended to move this to the main Roy's car park. It was not proposed to use the land for car parking on a permanent basis only to help with the shortfall for parking whilst the main development for the extension to Roys was taking place. It was noted that the proposal did conflict with the development plan in relation to expansion of car parking areas and would therefore be a departure, but was in compliance with other relevant policies which helped to weigh in favour of a temporary use.

The Planning Officer drew attention to the representations received particularly those from the Highways Authority and the objections from Wroxham Parish Council.

The Planning Officer took account of the main issues to be considered – the principle of the development, the need for the use, landscaping and design, highways, flood risk and amenity. In conclusion the Planning Officer was of the view that the use of the site as a temporary car park could be justified and potential future development of the site would not be restricted. She therefore recommended approval subject to conditions.

Members concurred with the Officer's assessment, considering that the proposal would make good use of the site in the interim, given its untidy state at present and the need for car parking spaces with the loss as a result of the ongoing construction of Roys. They were concerned that any approval for a temporary use did not set a precedent around a permanent car parking use, but were advised that the fact that this was being treated as a Departure from policy was an indication of the particular circumstances applicable here at this time and would not prejudice future options. They supported the application, particularly on the basis that it was only temporary.

Paul Rice proposed, seconded by Jacquie Burgess and it was

**RESOLVED** unanimously

that the application be approved for a temporary 5 year time limit or as required as temporary replacement parking for the duration of the use of the site at Forge House for the works compound, whichever is the shorter and subject to other conditions as outlined within the report and the Highways Informative. The principle of the proposal is considered to be in conflict with a number of policies but the proposal meets the three tests of compliance with other policies, the question of harm and would provide other benefits. The Proposal is in compliance with other relevant Policies DP2, DP4, and DP28 and DP29 of the Development

Management DPD, and HOV1 of the Site Specifics and Policy PUBHOV3 of the emerging Local Plan and there are material considerations which weigh in favour of a temporary use as replacement parking.

(4) **BA/2015/0393/FUL Ferry View Boatyard, Ferry View Estate, Horning**

Retrospective application for a new toilet block  
Applicant: Richardson's Leisure Ltd.

The Planning Officer explained that the application was before the Committee as the Managing Director for the applicant was a Member of the Authority. The Solicitor and Monitoring Officer had confirmed that the matter had been dealt with in accordance with normal processes and procedures.

In conclusion the Planning Officer was of the view that the application was acceptable in respect of the impact of the principle of the development, sewerage, drainage, design, flood risk, access and amenity and therefore was recommended for approval.

Members concurred with the officer's assessment.

Haydn Thirtle proposed, seconded by Paul Rice and it was

RESOLVED unanimously

That the application be approved subject to the conditions as outlined within the report. The application is considered acceptable and to be in accordance with the NPPF and Policies DP3, DP4, DP11, DP20, DP28 and DP29 of the Development Management Policies DPD and Policies HOR1 and HOR7 of the Site Specific Policies DPD.

## **12/9 Enforcement Update**

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

**Barnes Brinkcraft** (the non-compliance with a planning condition), An application had been received and the Navigation Committee had been consulted. They had agreed not to raise an objection provided that encroachment into the navigation did not extend beyond the limit of the barge originally moored in that location. Officers were looking into this.

Members thanked the officers for the updates.

RESOLVED

that the report be noted.

## **12/10 Duty to Cooperate: Broads Local Plan Habitats Regulations Assessment –amended version**

The Committee received a report on the amended version of the Habitats Regulation Assessment (HRA) for the Local Plan for the Broads, originally adopted by the Authority in September 2017, after a recent Court of Justice of the European Union judgment relating to Habitat Regulation Assessments. The Inspector appointed to conduct the examination into the Broads Local Plan had specifically requested that the Authority take this into account and revisit the HRA that had been undertaken. It was noted that Natural England had described the original completed work on the HRA by Footprint Ecology as exemplary. Footprint Ecology in liaison with Natural England assessed the situation and provided a way forward as set out in an appendix to the report and proposed that the HRA be amended in light of the Judgement. This had been sent to the Planning Inspector in draft format as the Authority, as the Competent Authority needed to endorse the HRA .

RESOLVED unanimously

that the Planning Committee endorse the approach to meeting the requirements of the HRA Judgement and

RECOMMEND to Full Authority

that the revised HRA for the Local Plan for the Broads be endorsed.

## **12/11 Duty to Cooperate: Norfolk Strategic Planning Framework (NSPF) update**

The Committee received a report providing the required update on the Norfolk Strategic Planning Framework, which had been endorsed by all the Local Planning Authorities in Norfolk in March 2018. As required by the emerging NPPF, a review had commenced with the aim of turning the NSPF into a Statement of Common Ground.

The Chair of the Authority reported that National Parks England and the Chair of the National Parks were endeavouring to ensure that National Parks and special landscape areas were protected and not weakened within the revised NPPF. A letter had been sent to Lord Gardner, Parliamentary Under Secretary of State for Rural Affairs and Biosecurity (Minister for landscape and National Parks).

RESOLVED

that the report be noted; and the work that is planned to review the NSPF and turn it into a Statement of Common Ground, plus additional work be endorsed.

## **12/12 Barnby Neighbourhood Plan: Designating Barnby as a Neighbourhood Area**

The Authority received a report introducing the Barnby Neighbourhood Area with a view to developing a Neighbourhood Plan. It was noted that the proposed area was the entire parish including the Broads and there were no known or obvious reasons to not agree the Neighbourhood area.

Members recognised that producing a Neighbourhood Plan was challenging and involved a great deal of work, along similar lines for producing a Local Plan. Funds were available if the area fell within a Local Authority area. However, most of the areas of the Neighbourhood Plans adopted or to be undertaken within the Broads were not wholly within the Broads area.

RESOLVED

to approve Barnby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

## **12/13 Neighbourhood Plan – Application for Area and Forum The Cathedral, Magdalen Street and St Augustine’s, Norwich**

Gail Harris had declared a personal interest in the item and left the meeting.

The Committee received a report setting out the legal background to the designation of neighbourhood areas and neighbourhood forums, and in particular the issues regarding the proposed designations in Norwich, with special reference to the application for area and forum for the Cathedral, Magdalen Street and St Augustine’s. It was noted that the area within the Broads within the proposed Neighbourhood area was very small. Because Norwich is not parished, a Neighbourhood Forum needed to be set up. The Neighbourhood Forum membership was consulted on but it was concluded that the membership was not representative. It was noted that the Ward Member who was in the Forum has not been re-elected and it was a requirement of a Forum to have a Ward Member. Members noted that Membership had changed to be more representative but due to data protection concerns, the details of the membership were not able to be put into the public domain at this time. In addition the proposed area in question was considered to be too diverse and disparate in character for a Neighbourhood Area. Norwich City Council had therefore refused the application for a designation of a Neighbourhood area to cover the Cathedral, Magdalen and St Augustine’s and also the application for the Neighbourhood Forum to become the Designated Body as proposed. Officers recommended that the Authority supports the City Council’s decision for the reasons within the report.

Members had sympathy for those involved in the proposed Forum and commended them for wishing to become involved and for the amount of work already undertaken. However, they accepted the recommendation, noting that the alternative proposed smaller scale area would be more appropriate and

noting that the Broads Authority will not be involved in a decision making capacity for the new Neighbourhood Area because it did not include the Broads. Members thanked the Officers for the clear explanation of a complex situation.

Haydn Thirtle proposed, seconded by Bill Dickson and it was

RESOLVED unanimously

- (i) to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood area for the reasons set out at paragraph 7.1 of Appendix A to the report; and,
- (ii) to refuse the application for designation of the Cathedral, Magdalen and St Augustine's neighbourhood forum as an appropriate body for neighbourhood planning for the reasons set out in paragraph 9.1 of Appendix A to the report.

#### **12/14 Customer Satisfaction Survey 2018**

The Committee received a report on the Customer Satisfaction Survey carried out from 1 January to 31 March 2018 as part of the Authority's commitment to best practice in delivery of the planning service. This involved a questionnaire to all applicants and agents who had received a decision on planning application during this period.

Although the number of responses had been slightly disappointing the overall feedback had been very positive and Members congratulated the staff on the outcome.

RESOLVED

that the report be noted.

#### **12/15 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. A start date from the Inspectorate had not yet been received.

RESOLVED

that the report be noted.

#### **12/16 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 9 May 2018 to 6 June 2018. It was noted that two of the applications dealt with under delegated powers had come through the

condition monitoring process. Members noted that the development for Bureside, Water Works Lane, Horning had been reduced and modified in scale from that which had been originally approved at Committee following a site visit in 2017.

RESOLVED

that the report be noted.

**12/17 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 20 July 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich

The meeting concluded at 12.40 pm

CHAIRMAN

**APPENDIX 1****Code of Conduct for Members****Declaration of Interests****Committee:** Planning Committee**Date of Meeting:** 22 June 2018

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
W A Dickson	-	None other than those already declared
Paul Rice	Item 12/8(2) and (4) Item 12/9	Chairman Broads Society Chair of Horning Flood Forum. Ludham Bridge – attended site for NNDC
Haydn Thirtle	12/8(1)	Borough and County councilor for the area. Attended Parish meetings concerning the application. BA/2018/0152/FUL Mill View Meadow, Chapel Road, Runham
Bruce Keith	-	None other than those already declared
Gail Harris	12/13 Application for Neighbourhood area and Forum for the Cathedral Magdalen and St Augustine's Norwich	Personal interest- (non-pecuniary). Item was discussed at Norwich City Council recently where I had declared an interest and will follow suit here. I will leave the meeting and not take part in the debate or vote.