

Broads Authority
Planning Committee

Minutes of the meeting held on 11 January 2019

Present:

In the Chair - Mrs M Vigo di Gallidoro

Mr M Barnard	Mrs L Hemsall
Prof J Burgess	Mr P Rice
Mr L B Keith	Mr V Thomson
Mr R Hanton	Mr H Thirtle
Ms G Harris	

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Ms N Beal – Planning Policy Officer (Minute 6/10)
Mr N Catherall– Planning Officer (up to and for Minute 6/8(1))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

6/1 Apologies for Absence, Welcome and Housekeeping Matters

The Chair welcomed everyone to the meeting. In particular she welcomed Mr Ron Hanton to his first meeting of the Planning Committee.

Apologies had been received from Mr W A Dickson

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, with the Authority retaining the copyright. No other member of the public indicated that they would be recording the meeting.

6/2 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.

6/3 Minutes: 7 December 2018

The minutes of the meeting held on 7 December 2018 were agreed as a correct record and signed by the Chairman.

6/4 Points of Information Arising from the Minutes

The Head of Planning provided updates on the following:

(i) **Minute 5/8(1) BA/2018/0325/FUL Hoveton Great Broad, Lower Street, Hoveton Viewing Platform.**

In light of Members' concerns about sufficient provision for disabled access to the top part of the viewing platform, officers had referred these to the applicant to see if any improvements could be made. Officers would inform the Committee if any amendments were to be made to the proposal.

A member commented that as Hoveton Great Broad NR was accessed only from the moorings by boat, she considered that the public benefit was limited.

(ii) **Minute 5/13 Tree Preservation Orders: BA/2018/0020/TPO Little Barn, Low Road, Shipmeadow and BA/2018/0021/TPO The Old Vicarage, Horning Road, Hoveton St John**

The permanent TPOs had now been served.

6/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

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

The Chairman stated that although the applicant for Agenda Item 8(1) was in attendance, she did not wish to speak.

6/7 Requests to Defer Applications and /or Vary the Order of the Agenda

No requests to defer or vary the order of the agenda had been received.

6/8 Applications for Planning Permission

The Committee considered the following application submitted under the Town and Country Planning Act 1990 (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 decision.

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

- (1) **BA/2018/0248/FUL Wilderness, Meadow Drive, Hoveton**
Replacement of existing cottage with new dwelling and holiday unit.
Applicant: Ms Sue Myhra

Mr Paul Rice, having declared an interest as Chairman of the Broads Society, commented that although he had not been party to any discussions by the Society he would not vote on the application.

The Planning Officer gave a detailed presentation and assessment of the application to demolish an existing dwelling known as Wilderness, sited at the southern end of Meadow Drive in Hoveton, and to replace this with a new dwelling and to construct an additional dwelling on the adjacent garden/mooring plot. The replacement dwelling would be used as private residential accommodation and the additional dwelling as holiday accommodation. The existing dwelling was currently used as holiday accommodation. The site was in flood zone 3 and partly within the adopted development boundary of Hoveton and Wroxham. Plans had been amended since the initial application following adverse comments and concerns relating to the size and design, siting and scale, mass and ridge height of the replacement dwelling. These changed the design to one and a half storey with a steeper roof pitch. However, there were still outstanding concerns from the Broads Society as well as other third parties about the amended plans citing over development of the site and visual impact as well as the impact on foul water disposal and sewage infrastructure.

Having assessed the application in terms of the main issues relevant to the application, the Planning Officer concluded that the proposal was acceptable and could be recommended for approval subject to conditions.

He acknowledged that the main concern related to the issue of the sewage infrastructure. The Planning Officer explained that the Environment Agency's advice was the replacement dwelling would not increase the impact on the sewage infrastructure and the provision of an extra dwelling for holiday accommodation would not result in significant additional inputs to the system. In either case, there would not be a material basis to refuse the application on these grounds alone. The Environment Agency had no objection in relation to flood risk and considered that the concerns relating to foul water drainage could be adequately covered by condition.

The Planning Officer concluded that the size of the plot and its location was in a well established part of Hoveton and therefore the provision of a residential dwelling and a dwelling for holiday use was considered an appropriate use of the site. The proposed dwellings were of a scale and design that would not be out of keeping with other dwellings in this location. The siting forward of the existing building line had been well thought out and was considered to be justified. The development would not be detrimental to the character of the surrounding area or the river scene, would complement the overall development, and would not unduly impact on the amenity and privacy enjoyed by neighbouring residents. In light of the Environment Agency's views, the proposal

was considered acceptable with regard to flood risk and foul water disposal.

Members commended the application. Although there was some concern about the sewage and waste water treatment, since the Environment Agency was satisfied that this could be dealt with by condition, they supported the proposal. Members considered that although the amended plans did include obscure glazing to the flank elevation, this factor should be reinforced by condition, as suggested by the Planning Officer.

Lana Hemsall proposed, seconded by Bruce Keith and it was

RESOLVED unanimously (Paul Rice having not taken part in the debate or vote)

that the application be approved subject to the conditions outlined within the report as well as a condition concerning obscure glazing. The proposal is considered to be in accordance with Policies CS1, CS18 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP22, DP28 and DP29 of the Development Plan Document (2011), Policy HOV1 of the Site Specific Policies Local Plan, and the National Planning Policy Framework (2018), a material consideration in the determination of this application.

6/9 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.

Ron Hanton declared an interest as a County Councillor for Ormesby. Members were reminded that they had reluctantly agreed to proceed to prosecution. A provisional court date of 18 December 2018 had originally been set. The applicant had subsequently indicated that he intended to comply with the notices and therefore a court appearance had been adjourned. Monitoring had been undertaken and whilst there had been some progress, it had been slow and further urgency was needed if it was to be completed by the revised court date of 26 February 2019.

The Head of Planning commented that Officers would be inspecting the site on 6 February 2019 and it was hoped that the matter could be concluded prior to having to attend court.

Marina Quays. The initial application had been withdrawn and it was understood that the applicants would be submitting a new application following negotiations in the near future.

Members supported the action being taken and noted the progress made.

RESOLVED

that the report be noted.

6/10 Consultation Documents Update and Proposed Response

Waveney District Council – Local Plan, Main Modifications

The Committee received a report providing the Officers' proposed response on the recent consultation from Waveney District Council on the Main Modifications to their Local Plan. Having declared an interest, Melanie Vigo di Gallidoro and Mike Barnard did not take part in the discussion on this matter.

The Planning Policy Officer commented that there were no problems to the changes made since the publication consultation, but unfortunately some of the fairly simple changes suggested by the Authority in the initial consultation had not been taken on board. This was disappointing as they highlighted the importance of the Broads as being a special landscape with status equivalent to a National Park as well as being important to be consistent with National Policy and the need for cross boundary cooperation. Therefore the comments proposed reiterated the Authority's initial response. It was considered that these would not require any significant changes to the Waveney Local Plan but would show that the Broads area was an asset.

Members fully supported the comments to be made.

RESOLVED

that the report is noted and the proposed responses in the report be endorsed for forwarding to Waveney District Council.

6/11 Heritage Asset Review Group – 7 December 2018

The Committee received the Notes from the Heritage Asset Review Group meeting held on 7 December 2018. The Chairman commended the report to members. She stated that it had been an extremely interesting meeting with presentations that were very encouraging and gave examples of the excellent work being undertaken in the heart of the Broads, particularly relating to the Water Mills and Marshes project and the involvement of educational and heritage training skills in the construction courses with Norwich City College.

With reference to Note 24/5 Conservation Area Reappraisals, the Head of Planning clarified that there was no right of appeal from third parties following full consultation and once a decision on the designation of a Conservation Area had been made. The Head of Planning commented that in planning legislation the right of appeal was very limited. It was only open to applicants to appeal against refusal or conditions. There was no right of appeal from third parties.

With reference to Note 24/7 The Norfolk Windmills Trust, the former member representative on the Trust reported that the restoration of the Stracey Arms Mill was being undertaken with the help of £600k Heritage Lottery Funding. This involved the creation of a new car park and provision of interpretation and restoration of an important educational asset. As the site was in a very prominent position with suitable moorings as well as adjacent to the Water Mills and Marshes project area, it was very pleasing that work had started. She also commented that with the Authority's Historic Environment Manager now attending Trust meetings this would be helpful in building on the technical capabilities of the organisation.

As mentioned in the Notes from the HARG meeting, members were informed that on the next scheduled **Broads Authority Workshop/site visit date 22 March 2019**, it was intended to organise a site visit that would include viewing some of the aspects of the Water Mills and Marshes Landscape Partnership project. Members would be receiving further information shortly.

A member commented that the notes from the HARG meeting referred to at least four good news elements of work being carried out which it was considered well worthwhile publicising.

RESOLVED unanimously

that the Notes of the Heritage Asset Review Group are received and noted.

6/12 Appeals to the Secretary of State

The Committee received a schedule of decisions to the Secretary of State since 1 June 2018. The Authority had submitted the statement on the appeal concerning the conditions attached to the outline permission for development at Hedera House, Thurne. The Authority was now awaiting a date from the Planning Inspector for a site visit.

RESOLVED

that the report be noted.

6/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 22 November 2018 to 28 December 2018.

It was noted that application BA/2018/0266/FUL for Six Mile House Drainage Mill, Halvergate had been dealt with at Committee and therefore was not a delegated decision.

Reference was made to the application BA/2018/0410/COND in Aldeby where permission had been granted for a variation in the condition to change the painted softwood cladding to hardie plank cladding. A Member queried the

consistency of decision making, when the Authority had refused permission for upvc cladding at another site.

The Head of Planning commented that following a review of a number of appeal decisions some 18 months ago, members had agreed that it was important to examine the context of the site when considering the materials to be used for any development. The development at Aldeby was on a site with very limited public views and not visible from the river Waveney. The recent decision, where the use of upvc for the cladding had been refused, related to a building which had been designed to complement a traditional building in a prominent river location. Although retrospective permission had been granted to vary a condition to allow upvc for the windows, changes to allow for fibreboard cladding had not.

A member commented that they were pleased that the development at Barnes Brinkcraft Ltd had been resolved satisfactorily.

RESOLVED

that the report be noted.

6/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 8 February 2019 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 10.53 am

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 11 January 2019

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Paul Rice	6/8(1)	Chairman of Broads Society
Mike Barnard	6/8(10)	Member of Waveney District Council Local Plan Working Group
Bruce Keith		Broads Trust and Whitlingham Charitable Trust.
Melanie Vigo di Gallidoro	6/8(10)	Member of Waveney District Council
Ron Hanton	6/9	Borough Councillor and County Councillor for Ormesby.