

Broads Authority

Planning Committee

Minutes of the meeting held on 8 March 2019

Present:

In the Chair - Mrs M Vigo di Gallidoro

Mr M Barnard
Mr L B Keith
Mr R Hanton
Ms G Harris

Mrs L Hempsall
Mr P Rice
Mr H Thirtle
Mr V Thompson

In Attendance:

Mrs S A Beckett – Administrative Officer (Governance)
Mr J Ibbotson – Planning Officer (for Minute 8/8(ii))
Mrs R Sainsbury – Planning Officer (up to and for Minute 8/8(i))
Ms C Smith – Head of Planning
Mrs M-P Tighe – Director of Strategic Services

Members of the public in attendance who spoke:

Application BA/2019/0002/FUL Land at Petos Marsh Camps Heath Oulton Broad

Adrian Sewell

Broads Authority Rivers Engineer On behalf of Applicant

8/1 Apologies for Absence, Welcome and Housekeeping Matters

The Chair welcomed everyone to the meeting.

Apologies had been received from Prof J Burgess and 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.

8/2 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 declared a general interest on behalf of all Members concerning application BA/2019/0002/FUL at Peto's Marsh as this was a Broads Authority application.

8/3 Minutes: 8 February 2019

The minutes of the meeting held on 8 February 2019 were agreed as a correct record and signed by the Chair.

8/4 Points of Information Arising from the Minutes

Minute 7/10 Wroxham Neighbourhood Plan

The Director of Strategic Services reported that the referendum for the Wroxham Neighbourhood Plan was due to be held on 21 March 2019. It was proposed that the Planning Policy Officer reported verbally the result of this to the Authority at its meeting on 22 March 2019. If more than 50% of those voting agreed to the Neighbourhood Plan, the Authority will be asked to make /adopt the plan. The Authority is the final arbiter so there would be no issue on the validity of the decision, but the Planning Committee endorsement would be bypassed. If the Authority went through the full process of bringing the result to the Planning Committee first, this would delay the decision by a couple of months which would not comply with the 8 week provision noted in the National Planning Policy Guidance.

The Chair stated that she and the Vice-Chair of the Committee supported this approach and that the matter should be considered by the full Authority at its next meeting.

Members fully supported the pragmatic approach being taken.

RESOLVED

That the Committee endorse the approach being taken for the adoption of the Wroxham Neighbourhood Plan subject to the vote on the referendum being favourable.

8/5 To note whether any items have been proposed as matters of urgent business

There were no items of urgent business.

8/6 Chairman's Announcements and Introduction to Public Speaking

Public Speaking

The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wished to speak were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented.

8/7 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.

8/8 Applications for Planning Permission

The Committee considered the following applications submitted under the Town and Country Planning Act 1990 (also having regard to Human Rights), and reached the decisions 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 officer's report, and which were given additional attention.

(1) BA/2019/0002/FUL North end of Peto's Marsh, south of Burgh Pumping Station, Camps Heath, Oulton Broad

Habitat creation, construction of new section of floodwall & re-use of dredged sediment to create wetland habitat.

Applicant: Broads Authority

The Planning Officer gave a detailed presentation and assessment of the application for habitat creation on a 2 hectare area at the very northern tip of Peto's Marsh, surrounded by compartment 28 of the Broadland Flood Alleviation Project and where flood defence improvement works have been carried out, following planning permission being granted in 2014. The proposal was part of the Suffolk Wildlife Trust's (SWT) vision for the Carlton Marshes nature reserve involving the restoration of arable land to wetland habitat. The scheme also involved the creation of a new section of flood or "crosswall" and new soke dyes which would enhance the existing flood defences. The site would provide an area for the deposition of dredged sediment from the River Waveney. It was expected that the volume of dredged material would be in the region of 15 – 20,000 cubic metres. The works were due to be undertaken by Broads Authority staff over a period of 2 – 3 years and would be monitored for five years by the Authority. The area would then be managed and maintained by the landowner SWT.

The Planning Officer explained that no objections had been received. The comments from the SWT about the timing of the works in relation to water voles and vehicle access across the new soke dyke had been addressed with extra details having been provided.

The Planning Officer concluded that the proposal could be recommended for approval as it would provide clear benefits, including continued flood defence and additional habitat and nature conservation management. It also satisfactorily balanced this with enhancement of recreation interests.

Members fully supported and commended the application.

Lana Hemsall proposed, seconded by Gail Harris and it was

RESOLVED unanimously

that the application be approved subject to the conditions outlined within the report and the accompanying Informatives.

The scheme is considered to be consistent with development policy as set out in the Development Plan document Policies DP1, DP4 and DP29 of the Development Management Document (2011) and the Broads Core Strategy (2007) Policies CS1, CS3, CS4, and CS9.

(2) **BA/2018/0474/FUL Hoveton: Richardson's Day Boat Hire, Fineway Leisure, Fineway Boatyard, The Rhond, Hoveton**

Replacement reception building

Applicant: Mr Paul Richardson

The Planning Officer explained that the application was before Members as the Company Chief Executive for the applicants was a Member of the Broads Authority.

The Planning Officer provided a presentation on the proposal to replace an existing single storey portacabin used as a day boat hire office with a larger single storey structure for the same purpose but as a permanent building. The application also involved slight changes to the associated mooring cut. The Planning Officer reported that the site was in Flood Zone 2 not 3 as stated in the report. The Environment Agency did not object to the application provided details of a flood response plan were submitted and this could be covered in the conditions.

The proposed structure was considered to be an acceptable scheme that would replace an unattractive building with an improved designed, proportionate replacement permanent building which would contribute to the visual amenity of this sustainable location and popular tourism hub. It would also provide improved access. It was considered that the improved design would offset the increase in size. The building contained a land use and business supported by the Broads Local Plan. Consequently, the scheme was considered to be in accordance with all relevant planning policy and was recommended for approval.

It was confirmed that there was no need for drainage proposals as facilities involving these were provided elsewhere on the site. The conditions included details on the materials even although the types of materials to be used were stated in the application. This was because each manufacturer had different specifications and the Authority wished to ensure that the materials were of an appropriate standard.

Members supported the proposal.

Haydn Thirtle proposed, seconded by Paul Rice and it was

RESOLVED unanimously

that the application be approved subject to conditions with informatives as outlined within the report. The scheme is considered to be in accordance with Policies DP4, DP27, DP29 of the Development Plan Document (2011).

8/9 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.

Members were reminded that they had agreed to proceed to prosecution as compliance with the Enforcement Notice had not been achieved. Further works to comply with the Enforcement Notice had been undertaken. A further inspection was made on 24 February, two days before the next proposed Court hearing. The dismantled gazebo and slates removed from the path had been stacked on site but in order to fully comply with the Enforcement Notice all the materials needed to be removed from the area covered by the Enforcement Notice. It was recognised that considerable progress had been made and it was important to be pragmatic. Given the winter conditions and potential difficulties and implications of removing the materials at this time, the Authority as well as the landowner had requested an adjournment of the Court hearing. This had been granted for 21 May 2019, but the Courts had made it clear that they would not countenance any further adjournments. Officers would be visiting the site again in April to review progress.

Marina Quays. A new application following negotiations was expected. The Head of Planning reported that the site continued to be the subject of some vandalism. The owners had undertaken some remedial works in tidying up the site.

Land at Beauchamp Arms Public House, Ferry Road, Carleton St Peter

The site was being monitored and Planning Contravention Notices issued in order to seek information.

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

RESOLVED

that the report be noted.

8/10 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 received the decision on the appeal against 3 conditions imposed on the original planning permission for the site at Hedera House in Thurne. The scheme involved the development of holiday

units with permanent residential units as enabling development. The details of the split decision had been circulated to Members.

The Head of Planning explained that the Inspector had supported the Authority's position relating to the holiday restriction period condition. This was welcomed as if not accepted, it would have had implications not only for the Authority's approach to holiday conditions but also other Local Planning Authorities. With regard to the condition on timescales for the construction of the enabling development followed by the development of the holiday units, the Inspector had accepted that marketing conditions had changed from when planning permission had been granted and extended the time from 2 years as initially set out to 5 years overall. This was acceptable and not a matter of great concern to the Authority.

The Inspector did not vary the holiday use restriction in respect of the holiday units, but varied that part of the condition which related to the permanent residential units to enable them to be used as second or holiday homes. This was a little disappointing as second homes typically made the smallest contribution to the local economy or community. However, the decision did enable some flexibility.

A Member commented that at a recent meeting of Thurne Parish Council there had been some confusion about the number of conditions being appealed and the decision. The Head of Planning undertook to provide the local Member with the necessary information to clarify the matter.

RESOLVED

that the report be noted.

8/11 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 24 January 2019 to 24 February 2019.

In response to a Member's question, the Head of Planning clarified that in some cases where there was change of use and extensions to existing buildings, conditions would include the removal of permitted development rights.

With regard to the application BA/2018/0329/FUL at the Pleasure Boat Inn, Staithe Road, Hickling, the Head of Planning commented that in principle extensions to the public house were acceptable. There had been considerable discussions over the design but unfortunately the extension to the back of the public house was inappropriate and therefore the application had been refused. It was clarified that the decision had to be made on the specific application as a whole.

It was clarified that the operation of a ferry at Kirby Bedon could not be viewed as a change of use and therefore it would not be covered by planning

legislation. The only permission that might be required would be for a structure which might facilitate the operation of a ferry but this was not the case here. There could be other consents required such as for a works licence or in relation to tolls.

RESOLVED

that the report be noted.

8/12 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 5 April 2019 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 10.55 am

CHAIRMAN

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 8 March 2019

Name	Agenda/ Minute No(s)	Nature of Interest (Please describe the nature of the interest)
Melanie Vigo di Gallidoro - Chair on behalf of All Members	8/8	BA/2019/0002.FUL Peto's Marsh – application by the Broads Authority.
Paul Rice		Chairman of Broads Society