

Planning Committee

Minutes of the meeting held on 26 March 2021

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Present

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Bill Dickson, Andrée Gee, Gail Harris, Lana Hemsall, Tim Jickells, Bruce Keith, James Knight, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer, Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning, Sarah Mullarney – Governance Officer (meeting Moderator) and Sara Utting – Governance Officer (minute taker)

Members of the public in attendance who spoke

Chris Game of Plaice Design (agent) and Colin Girling (objector) both for item 8(1) – application BA/2020/0408 – Westerley, Broad View Road, Oulton Broad.

1. Apologies and welcome

The Chairman welcomed everyone to the meeting.

Apologies were received from Stephen Bolt.

Openness of Local Government Bodies Regulations 2014

The Chairman explained that the meeting would be held remotely in accordance with the Coronavirus Regulations 2020 and the Standing Orders for remote meetings agreed by the Broads Authority on 22 May 2020. The meeting would be live streamed and recorded and the Authority retained the copyright. The minutes remained the record of the meeting.

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.

The Head of Planning reminded members that they had previously authorised the commencement of prosecution proceedings for unauthorised works to a tree at Oulton Broad and drew their attention to the planning application on the agenda for the same site. She emphasised, however, that these were completely separate matters and members were not prejudiced in determining the planning application.

3. Minutes of last meeting

The minutes of the meeting held on 5 March 2021 were approved as a correct record and would be signed by the Chairman.

4. Points of information arising from the minutes

Minute 10 – Tree in Oulton Broad Conservation Area - prosecution

The Head of Planning reported that the prosecution papers were now with the solicitor for processing. She also advised members that this matter should not be a consideration when determining the associated planning application which was on the agenda for this meeting.

Minute 11 – Adopting the Peat Guide; Minute 12 – Norfolk Strategic Planning Framework version 3 and Minute 14 - Review of Scheme of Delegated Powers to Officers

The Head of Planning reported that all these documents had been approved by the Authority at its meeting on 19 March 2021.

5. Matters of urgent business

There were no items of urgent business.

6. Chair’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.

The Chair referred to the announcement the previous day that emergency legislation regarding remote council meetings would not be extended and therefore would end on 7 May. The accompanying guidance, “Guidance on the Safe Use of Council Buildings”, had also been updated and published and it was noted that officers needed time to consider the implications and practicalities but would keep Members informed.

7. Requests to defer applications and/or vary agenda order

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

8. Application 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 decision set out below. Acting under its delegated powers, the Committee authorised the immediate implementation of the decision.

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

(1) BA/2020/0408 – Westerley, Broad View Road, Oulton Broad

Demolition of existing dwelling (Westerley) and erection of replacement dwelling and erection of new dwelling on neighbouring plot (The Moorings)

Applicant: Mr and Mrs Swietlik

The Senior Planning Officer (SPO) provided a detailed presentation of the application for the demolition of the existing dwelling (Westerley) and the erection of a replacement dwelling together with the erection of a new dwelling on the neighbouring plot (The Moorings) at Westerley, Broad View Road, Oulton Broad. The SPO advised that an additional condition needed to be added to reflect the comments of the Environmental Health Officer requiring the submission of a contamination report and the officer recommendation was amended accordingly.

In assessing the application, the SPO addressed the key issues of: the principle of development; the design of the new buildings and the impacts on the Conservation Area; trees; biodiversity; flood risk; neighbour amenity and highways.

A member questioned if the design of both properties was very similar and the SPO responded that the style and materials were the same, although one of the properties was larger than the other.

Mr Girling, an objector representing himself and a number of members of his family, provided a statement, referring to the loss of an open space in a Conservation Area as a result of the second property and the loss of views for the public. The second house was considered to be overdevelopment by many, including the Parish Council. Mr Girling referred to the comments by the Head of Planning at the start of the meeting about the tree and stated that this invalidated the comments he would have made on this issue.

Mr Game, the agent, provided a statement in support of the application, drawing attention to the fact that the site was within the development boundary. Pre-application advice had been sought and the proposals had been amended to incorporate recommendations made by the Broads Authority and technical consultees. At that time, the principle of both the replacement and new dwelling was considered to be acceptable and in accordance with the Local Plan for the Broads. He concluded that, if approved, the scheme would create two exemplar sustainability homes which would sit well in the landscape and accord with the Local Plan and vision for Oulton Broad.

In response to a comment on the amount of impervious material surrounding the two new dwellings and a question if freshwater flooding had been taken into account, the agent stated that a full assessment had been carried out of the flood risk and advised that there was a lot of permeable surfacing surrounding the properties.

A member asked for the officers' view on whether this proposal would set a precedent on intensification of development in this area, given the number of other properties with large gardens, whilst appreciating that each application would be determined on its own merits. The SPO advised that this plot was unique as it was within the development boundary whilst all the rear gardens of the others properties on Broad View Road were outside of the development boundary.

Another member commented that there was no reason to refuse the application; the starting point when within a development boundary was always a presumption in favour of development. He referred to the comments made about the loss of a public amenity, ie a view across the land, and stated that this was not a material planning consideration. He considered that the design of the properties fitted in well.

Conversely, another member referred to the type of properties which were on Broad View Road, being very large houses and gardens dating from the Edwardian period. During the 1960's new houses had been crammed into people's gardens, thereby destroying the uninterrupted views of the Broad. In her opinion, the new buildings were not the right design in this location and would be out of character with the Conservation Area. The Parish Council

was totally against the proposal considering it to be intrusive and not in keeping and she supported those views.

Whilst acknowledging the views expressed above, another member commented that he liked the design and it was becoming more and more prevalent, reflecting more modern times.

James Knight proposed, seconded by Bruce Keith, to approve the application, subject to conditions.

A member commented that he felt the proposals would lead to a loss of views of Oulton Broad when approaching by boat, with these building plots catching the eye and giving the impression of a built up area on an attractive piece of water. The addition of a new building would interfere with the view and this should be taken into account. Whilst he did not dislike the design, he would prefer to see only one building as opposed to two.

The HoP advised that the development boundary was a key issue as both the proposed dwellings were within it and therefore, the presumption was in favour of development and the main issues for consideration were design and amenity. She confirmed that there was no "right to a view" and views were not protected. Using the presentation material as a reference to illustrate the line of the development boundary, the HoP advised that most of the properties here had large gardens with space for an additional dwelling and they were outside the flood plain. This was why the development boundary had been drawn tightly around the existing buildings to preclude this sort of situation. She concluded that the scheme could not be opposed on the grounds of principle but on specifics only.

A member questioned if consideration had been given to separate proposals, ie one for redevelopment of the existing property and the other as a new development, and he also referred to the potential for a significant amount of disturbance for local residents during the construction, and questioned if this was a planning consideration. Another member commented that it was encouraging for the committee to see the plans for the whole of the site and not piecemeal. The SPO advised that it was beneficial to see all the proposals together as the boundary of the existing plot was being moved to accommodate the new dwelling.

In conclusion, Members concurred with the officer assessment that the design of the dwellings, whilst modern, used traditional methods and, when coupled with the proposed landscaping, would result in a development that blended well with the existing character of the surrounding Conservation Area. The position and angles of the dwellings would ensure there was no direct overlooking, overshadowing or loss of privacy to existing neighbours. In addition, there were no issues raised with regards to biodiversity, highways or flood risk. Accordingly, the proposals were considered to be in accordance with the policies of the Local Plan for the Broads.

It was resolved by 7 votes for, 2 against and 2 abstentions (1 due to the member having lost connection)

to approve the application subject to the conditions outlined within the report and an additional condition requiring the submission of a contamination report.

9. Enforcement update

Members received an update report on enforcement matters previously referred to the Committee.

A member questioned why a number of hearings had been postponed and the Head of Planning advised that this was an anomaly, caused by the Covid19 restrictions. The Planning Inspectorate was committed to an accompanied site visit taking place in person for the Great Yarmouth appeal and that was the reason for postponement until July, and the delay was a concern for officers.

10. National Planning Policy Framework (NPPF) consultation response

The Planning Policy Officer (PPO) presented her report on the Government's proposed changes to the NPPF, with a short commentary on how they could be relevant to the Broads Authority and the Broads. It was noted that, in terms of responding to the consultation, National Parks England had produced a response which represented all the National Parks and the Broads. Overall, the majority of the proposed changes seemed to be positive but the PPO stated that there was some concern about the proposed changes to when to apply the major development test as well as the wording related to Article 4 Directions. Members would be kept informed of the progress on this consultation and any changes adopted by the Government.

The report was noted.

11. Appeals to the Secretary of State

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

12. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 22 February to 16 March 2021 and Tree Preservation Orders confirmed within this period.

13. Date of next meeting

The next meeting of the Planning Committee would be on Friday 23 April 2021 at 10.00am.

The meeting ended at 11:03am

Signed by
Chairman

Appendix 1 – Declaration of interests Planning Committee,
26 March 2021

Member	Agenda/minute	Nature of interest
Andrée Gee	8.1	Ward Councillor