

Planning Committee

Minutes of the meeting held on 03 March 2023

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Present

Harry Blathwayt – in the Chair, Stephen Bolt, Nigel Brennan, Andrée Gee, Tony Grayling, Gail Harris, Tim Jickells, Leslie Mogford and Melanie Vigo di Gallidoro

In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning and Sara Utting – Senior Governance Officer

Members of the public in attendance who spoke

Jack Young (agent) for item 7(1) – BA/2021/0456/FUL Horning - Extension to mooring basin

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from Bill Dickson, James Knight and Fran Whymark.

Openness of Local Government Bodies Regulations 2014

The Chair explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

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.

3. Minutes of last meeting

The minutes of the meeting held on 03 February 2023 were approved as a correct record and signed by the Chair.

4. Matters of urgent business

There were no items of urgent business.

5. 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 Practice for members of the Planning Committee and officers.

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

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

7. 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 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/2021/0456/FUL Horning - Extension to mooring basin

Extend mooring basin, replace existing buildings with new reception, workshop & open-sided wetshed.

Applicant: Horning Pleasurecraft Limited

The Senior Planning Officer (SPO) provided a detailed presentation of the application that would involve the removal of two workshops and a derelict building within the site, an extension to an existing mooring basin resulting in the addition of 57 moorings (including 4 visitor moorings), new reception and workshop buildings, a new slipway, the installation of an open-sided wetshed and a new jetty, within the adjacent mooring basin, to provide a further 4 visiting berths.

The presentation included a location map, a site map, detailed site maps for both north and south areas of the site, floorplans and elevation diagrams of the new buildings (reception, workshop and wetshed) and photographs of the site from various points in and around the site.

The SPO explained that the site was located to the eastern end of the village of Horning, accessed by land via Ferry View Road, and by water from a dyke leading northwards from the River Bure.

The SPO indicated that the northern boundary of the site, along Ferry View Road, was fronted by residential properties and the southern boundary, along the River Bure, was also fronted by residential properties. The western boundary consisted of residential and holiday let properties. To the East of the site, there was a strip of land, owned by the applicant, which was directly adjacent to Horning Marsh Farm SSSI, part of the Bure Broads and Marshes SSSI, part of the Broadland Special Protection Area and included in the Broads Special Area of Conservation.

The SPO explained that the proposal was to extend the existing mooring basin at both its northern and southern ends. The northern extension would result in the removal of two workshops and the hard surfaced between area between these buildings and the existing basin. This northern extension to the mooring basin would provide an additional 26 mooring berths and 4 new visitor moorings (30 in total).

The SPO explained that a new reception building, a new slipway and a new workshop would be provided to the north of the extended basin. A new open-sided wetshed would be provided on the eastern side of the extended basin from the side of the new workshop.

The southern extension of the mooring basin, the SPO continued, would result in the removal of the derelict property known as "Broadmead", to provide an additional 23 moorings with a walkway flanking the western and southern sides of this extended basin. The boundary landscape, along the southern boundary of the site, had been suggested to be conditioned to ensure the correct tree planting before implementation.

The SPO confirmed the dimensions of the new buildings and explained that materials had been conditioned to confirm their exact colour and composition.

The SPO provided details of further responses received since the report was published:

- The occupants of Ferry View, having previously responded as indicated in the report, had provided another response that re-iterated some of the points previously raised; specifically, about amenity, ecological issues (including water voles/rats) and flood risk.
- The Broads Authority's Ecologist, Landscape Architect and Tree Officer had all provided their final consultations indicating that they had no objections subject to the conditions and informatives as covered within the report's recommendation (section 8.1 of the report).
- Essex and Suffolk Water had responded stating that they had no objections and no suggested conditions.

The SPO indicated that the only outstanding consultation was from Natural England (NE) who had requested some additional time to respond.

The SPO provided the assessment and indicated that the principle of the development was considered acceptable; this was an existing boatyard that provided dayboats, private moorings and boat repairs and maintenance. The proposal was considered to be in accordance with Policy DM33 (Moorings, mooring basins and marinas) of the Local Plan.

The SPO confirmed that the BA Ecologist had not objected to the scheme and it was deemed to be in accordance with Policy DM13 (Natural Environment).

The SPO indicated that NE had previously responded to an earlier iteration of this application. The Local Planning Authority (LPA) for the Broads believed that this updated proposal had addressed the comments previously raised by NE.

This new scheme had ensured a suitable separation between the extended basin and the Horning Marsh Farm SSSI to the East.

A water vole survey had been performed and water voles had been found within the site. This scheme included a proposal to relocate the water voles to an area of newly created fen

habitat to the East of the site. The BA Ecologist had no objection to this proposal. This proposal would be subject to licensing by NE.

The SPO indicated that 10,000m³ of spoil would be generated by excavating the basin extensions. This consisted of 1,300m³ of made-up ground (resulting from the northern basin extension), 1,500m³ of clay and 7,000m³ of uncut and secondary peat (from the southern basin extension).

The SPO explained that the applicant had amended the proposal to minimise the volume of peat excavated, had proposed to re-use some of the excavated peat to restore reeds along the site frontage and the remainder would be used on arable land. Despite not being able to find a solution that eliminated the removal of peat, the scheme had some benefits and, given the proposed mitigations, the SPO indicated that this proposal was not unacceptable with Policy DM13 (Peat Soils).

The proposed extension to the southern mooring basin would, the SPO explained, bring the boating activity closer to the properties on the southern boundary. However, there was already a lot of boat activity within the boatyard to the West, and the increase in boat activity associated with this scheme, was not considered sufficient grounds to justify refusal of planning permission.

The SPO highlighted that a soft landscaping scheme of the entire site including the southern boundary had been conditioned to provide a good barrier between the new moorings and the residential properties.

The SPO reported that in terms of Flood Risk the proposed scheme was deemed beneficial due to the larger mooring basin.

The SPO explained that Policy DM33 requested a certain amount of moorings to be available to new visitors. This scheme, in addition to the 4 new visitor moorings within the extended mooring basin, would provide a further 4 new visitor berths in the adjacent mooring basin to the West (8 new visitor moorings in total).

The SPO concluded by stating that:

- The proposed development would allow the applicants to expand their mooring business at Horning Marina site, and to consolidate the existing provision of workshop and reception services at the site.
- The proposed development would not have an adverse impact on either landscape character or appearance.

There would be an impact on ecology through the presence of water voles in the works area and the extraction of peat, these are considered to have been acceptably considered and addressed.

- There would be no adverse impact on designated sites.
- There would be no undue impact on the amenity of neighbouring residents.

In the absence of a consultation response from NE, the SPO suggested a revised recommendation of: Subject to no new issues raised by NE, that have not already been addressed by officers, to approve the application, subject to conditions as stated in section 8.1 of the report.

A member asked whether this scheme would provide a bio-diversity net gain. The agent responded that the ecology report did indicate a net gain to bio-diversity as a result of the restoration of fen habitat along the eastern boundary of the mooring basin.

Members were supportive of this scheme and acknowledged the benefit this development would be to an existing business within the Broads. A member regretted the loss of peat but felt this was justified in supporting the long-term viability of the applicant.

Members praised the proposed fen habitat restoration and were interested in the long-term outcome of this work.

A member believed the new reception was an improvement on the previous building but was concerned by the reported discrepancies between the site boundary and that of some of the neighbouring properties, questioning how could this situation arise. The Head of Planning (HoP) explained that the map associated with a property's deeds and that held by the Land Registry could differ for a number of reasons. The Land Registry map could be based on old data, on more recent LiDAR data, it may be based on survey data. The map associated with the deeds may date back decades. The HoP indicated that boundary disputes were a civil matter and not a planning matter. In this scheme the question from the objector about the boundary location not being where the applicant believed it was would, the HoP explained, have an impact on the ability of the applicant to provide the landscaping. The HoP suggested, assuming planning permission was granted, that the LPA arrange to meet the applicant and their agent on site to mark out where the screening would start and mark out the 3.5 metres required for the screening itself and record this perimeter. The agent, with the permission of the chair, added that the site map had been updated to reflect the existing fence line on site.

Tim Jickells proposed, seconded by Leslie Mogford and

It was resolved unanimously, provided there were no issues raised by Natural England that had not already been addressed by officers, to approve the application subject to the following conditions:

- i. Standard time limit**
- ii. In accordance with approved plans**
- iii. Details of method statement for piling and dredging works**
- iv. Details of Construction Environmental Management Plan**
- v. Details of materials**
- vi. Details of tree protection**
- vii. Details of replacement trees**

- viii. **Details of landscaping**
- ix. **Details of ecological mitigation method statement, and an ecological management plan**
- x. **Details of extracted peat use. Spoil to be deposited in flood zone 1**
- xi. **Details of visitor mooring sign - position, size, and design**
- xii. **Water vole re-survey prior to works**
- xiii. **No residential mooring**
- xiv. **Short stay moorings provided and retained in perpetuity**
- xv. **No external lighting without agreement in writing**
- xvi. **Reuse of peat within 7 days of extraction**
- xvii. **Timber preservatives**
- xviii. **Highways condition as recommended**

8. Enforcement update

Members received an update report from the Head of Planning (HoP) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Land at the Beauchamp Arms (Two unauthorised static caravans): The statements were being finalised with the Solicitors and when this was completed the summonses could be issued.

Blackgate Farm, High Mill Road, Cobholm: The HoP confirmed that a further site visit was planned at the end of the month to ensure the remaining caravans had been removed.

A member asked whether the Cobholm site could be utilised to support the need for traveller sites identified by Great Yarmouth Borough Council. The HoP responded that the Cobholm site was within the functional floodplain and therefore was unsuitable for this purpose.

Land east of Brograve Mill: The agent had challenged the proposed method of restoring the scrape as stated on the Enforcement Notice and had proposed an alternative solution. The HoP indicated that the Local Planning Authority (LPA) for the Broads were satisfied with this proposal. The agent was near to finalising the detail of this alternative arrangement with the Environment Agency and the Broads Internal Drainage Board and once agreed the restoration work could commence.

A member asked whether the LPA had received an appeal for the Yurt at Blackwater Carr, Postwick (which had been refused permission at the last meeting). The HoP confirmed that the applicant had indicated their intention to appeal the decision and that they had 6 months since the decision was taken to lodge their appeal.

The report was noted.

9. Oulton Neighbourhood Plan - adoption

The Planning Policy Officer introduced the report on the adoption of the Oulton Neighbourhood Plan. The PPO confirmed that the plan had successfully completed its referendum and was ready to be made (adopted).

Leslie Mogford proposed, seconded by Andrée Gee and

It was resolved unanimously to endorse the Oulton Neighbourhood Plan and recommend to the Broads Authority that the Oulton Neighbourhood Plan be made (adopted).

10. Local Plan – Settlement Study update

The Planning Policy Officer introduced the report, which detailed updates to the Settlement Study to reflect comments received from the Local Plan- Issues and Options consultation. The PPO explained that the main change related to access to allotment provision.

Tim Jickells proposed, seconded by Melanie Vigo di Gallidoro and

It was resolved unanimously to endorse the amendments to the Settlement Study.

11. Consultation Responses

The Planning Policy Officer introduced the report, which documented the responses to the Great Yarmouth New Local Plan and South Norfolk Village Clusters Housing Allocations Plan (Reg 19 Version). The PPO proposed to discuss each consultation in turn and endorse the associated recommendation after each section.

Great Yarmouth New Local Plan – Issues and Options consultation

The PPO reported that Great Yarmouth Borough Council had chosen to include all their sites, irrespective of their suitability or not, at this early stage of the formation of a new Local Plan. Since the report was written, the PPO confirmed that she had received comments from the Broads Authority's Landscape Architect which indicated that at a few sites further development had some potential to adversely affect the setting of the BA area. The PPO agreed to circulate the final consultation response to members of the Planning Committee.

A member thanked the PPO for their diligence on this matter and was relieved to hear that this was an open call for sites and therefore there was no potential risk to designated sites.

Stephen Bolt proposed, seconded by Melanie Vigo di Gallidoro and

It was resolved unanimously to endorse the nature of the proposed responses to the Great Yarmouth New Local Plan.

South Norfolk Village Clusters Housing Allocations Plan

The PPO explained that this plan was intended to accommodate 1,200 new homes in more rural areas within various village clusters to enable the sharing of services. The PPO had

received comments from the Authority's Landscape Architect and they had indicated that the sites did provide adequate landscape visual impact assessments. Where the plan indicated there would be no adverse impact on the Broads and, where mitigations had been proposed, the Landscape Architect had indicated their support for these statements. The PPO agreed to circulate the final consultation response to members of the Planning Committee.

Andrée Gee proposed, seconded by Nigel Brennan and

It was resolved unanimously to endorse the nature of the proposed responses to the South Norfolk Village Clusters Housing Allocations Plan.

12. Appeals to the Secretary of State

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

13. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 23 January 2023 to 17 February 2023 and any Tree Preservation Orders confirmed within this period.

14. Date of next meeting

The next meeting of the Planning Committee would be on Friday 31 March 2023 10:00am at Yare House, 62-64 Thorpe Road, Norwich.

The meeting ended at 10:53am

Signed by

Chair

Appendix 1 – Declaration of interests Planning Committee, 03 March 2023

Member	Agenda/minute	Nature of interest
Andrée Gee	9, 10	East Suffolk Councillor representing Oulton Broad Ward - other registerable interest

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