

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

Minutes of the meeting held on 10 November 2017

Present:

Sir Peter Dixon – in the Chair

Mr M Barnard  
Prof J A Burgess  
Ms G Harris  
Mr R Price

Mr V Thomson  
Mrs M Vigo di Gallidoro

In Attendance:

Ms N Beal – Planning Policy Officer  
Mrs S A Beckett – Administrative Officer (Governance)  
Ms A Cornish – Planning Officer (Minute 4/8)  
Ms C Smith – Head of Planning  
Ms M-P Tighe – Director of Strategy and Sustainable Communities

**4/1 Apologies for Absence and Welcome**

The Chairman welcomed everyone to the meeting especially Mr Bruce Keith, as the new Secretary of State Appointee to the Authority as an observer.

Apologies were received from Mr W A Dickson, Mr Brian Iles, Mr H Thirtle and Mr J Timewell

**4/2 Declarations of Interest**

Members indicated they had no further declarations of interest to declare other than those already registered, and as set out in Appendix 1 to these minutes.

**4/3 Minutes: 13 October 2017**

The minutes of the meeting held on 13 October 2017 were agreed as a correct record and signed by the Chairman.

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

**Minute 3/14** Heritage Asset Review Group: Review of Role and Membership.

The Chairman reported that all those Members on the Heritage Asset Review Group had confirmed their wish to remain on the Group and there would be a meeting of the group following this meeting. All members were invited to stay if they so wished.

No further points of information were reported.

**4/5 To note whether any items have been proposed as matters of urgent business**

No items of urgent business had been proposed.

**4/6 Chairman's Announcements and Introduction to Public Speaking**

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

*The Press correspondent indicated that he intended to record proceedings.*

The Chairman gave notice that the Authority would be recording the meeting. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would remain as the matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer. The proposal to make recording of the meetings on a permanent basis would be raised at the next Broads Authority meeting on 24 November 2017.

**(2) Public Speaking**

The Chairman reminded everyone that the scheme for public speaking was in operation for consideration of planning applications, details of which were contained in the Code of Conduct for members and officers. (This did not apply to Enforcement Matters.)

**4/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

No requests to defer planning applications had been received.

**4/8 Applications for Planning Permission**

The Committee considered the following application submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decision 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 officers' reports, and which were given additional attention.

- (1) BA/2017/0309/CU Thorpe River Green, Yarmouth Road, Thorpe St Andrew, Norwich**  
Change of use to Mixed Use Moorings

Applicant: Thorpe St Andrew Town Council

The Planning Officer provided a presentation and assessment on the proposal from Thorpe St Andrew Town Council. She explained that the application site related to 218 metres of the river frontage of Thorpe River Green, which had been used for mooring since the 1920s and up until recently leased to the Broads Authority for 24 hour visitor moorings. The moorings had reverted back to Thorpe Town Council in 2016 and their proposal involved dividing mooring provision for different use zones for commercial (43m) at the eastern end, short stay (75m) in the centre and private lease (100m) at the western end.

In assessing the application, the Planning Officer addressed the main issues of the principle of the development which had been well established, the impact on navigation and the impact on the Thorpe St Andrew Conservation Area. She addressed the concerns received individually emphasising that the current proposal was not altering the current situation but just defining the way in which the moorings were used. It was clarified that it would be the responsibility of the Town Council for ensuring compliance with any planning conditions to be imposed. It was confirmed that the Navigation Committee had raised no objections to the application.

The Planning Officer concluded that the use of the existing moorings along the river frontage of Thorpe River Green in the way proposed by the Town Council was considered acceptable. The various uses of the moorings were acceptable in principle and the activity would not have an adverse effect on either the navigation of this stretch of the river or the character of the Conservation Area. The proposal was therefore considered to be in accordance with the relevant Development Plan Policies and the NPPF and recommended for approval subject to conditions.

Members sought clarification on the conditions to be imposed and considered that those suggested would be appropriate. They also gave consideration to the potential for a condition to restrict the mooring of *private* vessels in the winter months. The Head of Planning commented that the Committee needed to be mindful of the need to meet the 6 tests for imposing conditions. The issues of tranquillity and amenity were valid but given that the use of this stretch of the river had been used for moorings for a very long time and that there were boats moored on the other side of the river, it would be difficult to argue that about 10 more vessels would have a significant detrimental impact.

The Chairman put the officer's recommendation to the vote

RESOLVED by 6 votes to 0 with one abstention.

that the application be approved subject to conditions as outlined within the report including the condition that there should be no residential

moorings or stern on mooring or double mooring. In the opinion of the Local Planning Authority the proposal is in accordance with Policies CS1 Landscape Protection and Enhancement, CS3 The Navigation, CS5 Historic and Cultural Environments, CS10 Sustainable Tourism, CS14 Water Space Management and CS17 Access and Transportation of the Core Strategy, Policies DP5 Historic Environment, DP12 Access to the Water and DP16 Moorings of the Development Management Policies DPD and the NPPF.

#### **4/9 Enforcement Update**

The Committee received an updated report on enforcement matters already referred to Committee.

**Marina Quays** The Head of Planning reported that the landowners had provided some revised proposals but unfortunately these were unacceptable. If there was no further progress, it was considered that there might be a case for a Section 215 Untidy Land Notice. Officers would be liaising closely with Great Yarmouth Borough and Members would be provided with an update at a future Planning Committee meeting.

RESOLVED

that the report be noted.

#### **4/10 Brownfield Register Briefing Note**

The Committee received a report setting out the Briefing Note for the Brownfield Register. The Authority intended to have the Register compiled by 31 December 2017 in order to comply with the regulations introduced under the Housing and Planning Act May 2016 and which came into force in April 2017. In accordance with the Government's intention to ensure that 90% of suitable brownfield sites have planning permission for housing by 2020, the regulations required all local authorities to prepare and maintain registers of brownfield land that was suitable for residential development. Brownfield Registers should include all brownfield sites that were suitable for housing development irrespective of their planning status. In effect the Register provided "permission in principle". There was no time-line set.

Members noted that the register was required to comprise a standard set of information, prescribed by the Government, kept up-to-date and made publicly available in order to help provide certainty for developers and communities and encourage investment in local areas. The registers would be used to monitor the Government's commitment to the delivery of brownfield sites.

RESOLVED

that the report be noted.

#### **4/11 Self Build**

The Committee received a report concerning the proposal to apply for exemption to the duty to give suitable development permission in respect of enough serviced plots of land to meet the demand for self-build and custom housebuilding in each base period.

Local Authorities were required to hold a register of people who wanted to build their own houses as part of the Self-build and Custom Housebuilding Regulations 2016 included in the Housing and Planning Act 2016. The LPA was able to make an application for an exemption if, for any base period, the demand was greater than 20% of the land identified by that authority as being available for future housing. By doing so the Authority was not ruling out self-build, in fact the Local Plan generally supported self-build as long as the proposals were located and designed in accordance with policies. The application for exemption reflected the constraints to development in the Broads area as well as it being a special landscape important for wildlife and having the highest level of protection. 49 people were on the register for base period 1. This number reflected that the proportion of demand to available land for both base periods was greater than the 20% threshold.

RESOLVED

that the application for exemption is supported and endorsed.

#### **4/12 Norfolk Strategic Framework – the next steps**

The Committee received a report providing an update on the progress of the Norfolk Strategic Framework being overseen by the Norfolk Strategic Planning Members Forum and set out the next steps to strategic planning across Norfolk. On completion of the amendments to the document following consultation, a proposed final version of the NSF would go before the Member Forum in December where it was anticipated that it would recommend to the Local Planning Authorities that the NSF be formally agreed. It was the intention to bring the final NSF with any recommendation from the Member Forum to Planning Committee on 5 January 2018.

The Vice-Chairman of the Planning Committee confirmed that he had attended the NSF Members Forum and assured Members that the Authority made a recognisable and worthwhile contribution as part of the Duty to Cooperate. This was considered important particularly when anticipated development in the area would have an impact on the Broads.

RESOLVED:

that the report be noted and the Authority support the proposals for future strategic planning at a Norfolk level and the next steps be endorsed as follows:

- (i) the principle of continued, formal cooperation through the Norfolk Strategic Planning Member Forum supported by a shared administration function to further the joint working.
- (ii) to take forward the proposed plan of joint work subject to later agreement of:
  - a) Revised terms of reference for the Norfolk Strategic Planning Member Forum in light of the new work and completion of the NSF;
  - b) Detailed proposals on the 3 work streams identified for consideration at the Spring 2018 Norfolk Strategic Planning Member Forum;
  - c) Full timetable and budget implications for the proposed work;
  - d) Supports Norwich City Council to remain the employing and hosting authority for the employee and provide administration resource as required; and
- (iii) RECOMMENDED to the Broads Authority to increase the Planning Policy Team budget by £5,000 per year to contribute towards the joint working, initially for 2018/19.

**4/13 Most of Norfolk Strategic Flood Risk Assessment SFRA to support the Broads Local Plan:**

The Committee received a report setting out the SFRA completed for most of the Norfolk Local Planning Authorities with particular reference to the four Norfolk SFRAs relevant to the Broads which covered the Broads Authority Executive Area: one for Great Yarmouth, one for North Norfolk and one covering the area of the Greater Norwich Authorities. Waveney District Council was producing a SFRA on its own; it will cover the entire Waveney District Area including that part which is the Broads. The SFRAs were at a strategic level and did not go into detail on an individual site by site basis. They would inform the LPAs of the potential risks and requirements for site-specific flood risk assessments as well as opportunities to reduce flood risk to existing communities and developments.

Members noted that that the Broadland Flood Alleviation Project Area (relevant to the Broads Authority executive area) model required updating and that it was anticipated that the model would be available in 2019. Therefore a precautionary approach was being taken and the Joint Position Statement with the EA of 9 May 2017 was relevant.

The Planning Policy Officer explained that having examined the SFRA in conjunction with the policies in the Local Plan, none of the policies required altering and therefore the process with regard to the SFRA was completed.

**RESOLVED**

that the important pieces of evidence of the SFRA to support the Local Plan be noted.

### ***Broads Local Plan Update.***

The Planning Policy Officer informed the Committee that having received the SFRA, the provisos set by the Authority for approving the Local Plan for consultation had now been fulfilled. She had consulted with the Chairs of the Authority and the Planning Committee and Chief Executive and they have formally approved the Local Plan. The document together with supporting documents was now being sent out for consultation for an eight week period ending on 5 January 2018 at 4.30pm. In addition to being available on the Authority's website, paper copies would be placed in local libraries and all the Local Councils by 17 November 2017. As part of the consultation there would be drop in sessions in three locations and all Members would be informed of them:

22 November 2017 – Brundall Memorial Hall 6 – 8pm

6 December 2017 – Geldeston Village Hall 6 – 8 pm

9 December 2017 – Potter Heigham village Hall 10am – 12pm.

Following the consultation it was intended to submit the Local Plan to the Navigation Committee on 22 February 2018, the Planning Committee on 2 March 2018 and the Broads Authority on 16 March 2018 with the aim of submitting the document to the Planning Inspector soon after.

The Committee congratulated and commended the Planning Policy Officer on her diligence and achievement in the preparation of the Broads Local Plan.

### **RESOLVED**

that the update be noted and welcomed.

### **4/14 Annual Monitoring Report 2016/17**

The Committee received the Annual Monitoring Report for 2016/17, which covered progress against the Local Development Scheme as well as providing an update regarding work undertaken under the auspices of Duty to Cooperate. The report set out the types of planning applications approved as well as also covering appeals and the decisions of the appeals.

A member expressed the view that the photograph on the front cover of the AMR, albeit very attractive and reflecting the integrated elements of the Authority's purposes in relation to biodiversity, might not be the most appropriate for a planning document, particularly when considering public perception. It was suggested that a landscape view to include a building might be more apt.

It was clarified that Local Development Scheme was a timetable and the colours did not reflect targets in the sense of red, green or amber. The colours

reflected a particular action and were designed to try and make it obvious when each activity on each row of the LDS was due to happen.

Clarification was also sought on the Water Quality - Ecological Status map (Page 58 of the full agenda set of papers. Page 14 of AMR) with regard to the grey area which indicated that there was no specific data. It was subsequently confirmed that the grey parts of the water quality map in the AMR were coastal and transitional watercourses and there was no water quality data for them of which officers were aware.

*Additional Note: Since the meeting the GIs Officer has looked into this. The Environment Agency (EA) do not include the transitional and coastal waterbodies in the Broadland Rivers catchment. They are in a separate management catchment called Anglian TraC which contains two operational catchments Norfolk East TraC and Suffolk TraC.*

*Historically the Authority has only reported on the water bodies in the Broadland Rivers catchment as the EA previously limited the extent of the data the Authority was able to download to the catchment boundary. In recent years the EA have released a lot of data as open data and removed the extent restriction. Going forward it will now be possible to include the Norfolk East TraC and Suffolk TraC data adjacent/overlapping the Authority's executive area.*

*A new map has been produced and that is now included in the AMR.*

Members welcomed the report considering that it illustrated the considerable range and quality of the work undertaken by the Authority.

RESOLVED

That the report be noted.

#### **4/15 Hemsby Neighbourhood Plan**

The Committee received a report introducing Hemsby as a Neighbourhood Area with a view to producing a Neighbourhood Plan. The Neighbourhood Plan was submitted on 19 October 2017. There were no known reasons why the area could not be approved for a Neighbourhood Plan.

RESOLVED

that the Authority agree to Hemsby becoming a Neighbourhood Area in order to produce a Neighbourhood Plan.

#### **4/16 Appeals to Secretary of State Update**

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since May 2017. Members noted that the Waveney River Centre appeal (BA/2016/0356/COND) against a temporary consent condition had been allowed by the Planning Inspector. The decision letter had been circulated to the Committee.



RESOLVED

that the report be noted.

**4/17 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 2 October 2017 to 23 October 2017. It was noted that none of the applications had resulted from Condition Monitoring for this last month.

RESOLVED

that the report be noted.

**4/18 Circular 28/83: Publication by Local Authorities of Information About the Handling of Planning Applications**

The Committee received the development control statistics for the quarter ending 30 September 2017. These indicated that all applications received had been dealt with well within the statutory targets set by government.

RESOLVED

that the report be welcomed and noted.

**4/18 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 8 December 2017 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.00 am

CHAIRMAN

**Code of Conduct for Members**

**Declaration of Interests**

**Committee:**           **Planning Committee**

**Date of Meeting:**   10 November 2017

<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
Paul Rice	4/13	Chairman of Broads Society Member of IDB and Senior Flood Warden in relation to SFRA.
Gail Harris	4/12	Norfolk Strategic Framework Councillor with Norwich City Council