

Planning Committee

Minutes of the meeting held on 06 December 2019

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Present

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Julie Brociek-Coulton, Jacquie Burgess, Bill Dickson, Andree Gee, Lana Hemsall, Tim Jickells, Bruce Keith, James Knight, Leslie Mogford, Vic Thomson, Fran Whymark.

In attendance

Sandra Beckett – Administrative Officer (Governance), Natalie Beal – Planning Policy Officer, Jack Ibbotson – Planning Officer, Kayleigh Judson – Heritage Planning Officer, Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning, Marie-Pierre Tighe – Director of Strategic Services (After Minute 8).

Members of the public in attendance who spoke

Application BA/2018/0359/FUL Sandersons Marine Craft Ltd, Riverside, Reedham

Mr Chris Day – Objector

Mr Mike Barnes – on behalf of applicant Broadland Pension Fund Ltd.

William Glover– Agent for the applicant.

1. Apologies and welcome

The Chairman welcomed everyone to the meeting.

No apologies were received.

Openness of Local Government Bodies Regulations 2014

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.

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. All members declared that they had been lobbied by the objectors with regard to the planning application BA/2018/0359/FUL.

3. Minutes of Planning Committee meeting held on 8 November 2019

The minutes of the meeting held on 8 November 2019 were approved as a correct record and signed by the Chairman.

4. Points of information arising from the minutes

There were no points of information arising from the minutes to report.

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

The Chairman reported that she had been informed of an item of urgent business concerning a building in Wroxham. It was proposed to take this after agenda Item 13.

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

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. 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 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/2018/0359/FUL Sandersons Marine Craft Ltd, Riverside, Reedham

Site description: Demolition of shed, erect timber clad boat workshop, 3 residential dwellings, flood defence wall and landscaping. Applicant: Sandersons Marine Craft Ltd

The Chairman commented that, as members had been made aware, the Parish Council and the objector were recommending that the Committee have a site visit so as they could consider all the issues relating to the application before it was considered in detail at Committee. The Chairman offered members the option of whether to receive the presentation with a view to determining the application at this meeting or deferring consideration for a site visit before the next meeting.

The Head of Planning set out the guidelines and criteria for having a site visit as detailed in the Code of Conduct for Planning Committee. She explained that officers had reviewed the application thoroughly and, given all the information received and the details to be provided within the presentation, which took account of the representations, they did not consider a site visit was warranted. They had not recommended a site visit, but of course it was open to members to consider.

Some members considered that on the basis of the report there should be sufficient information provided to determine the application. Other members considered that in view of the objections, the public interest and the balance, a site visit would be helpful.

Bill Dickson proposed, seconded by Fran Whymark and by 7 votes to 4.

It was resolved to proceed with the presentation with a view to determination.

The Planning Officer gave a detailed presentation and assessment of the application for redevelopment of the Sanderson's Marine Craft site and the adjacent Halls Old Yard site at Riverside Reedham to accommodate a replacement timber clad dilapidated boat workshop on the former site and erection of 3 residential dwellings on the Halls Old Yard site plus associated parking and landscaping across the whole site together with the replacement/improvement of the flood defences. The proposal was to enable the existing Sanderson's Marine hire boat business to continue as a hire boatyard and provide long term viability. There had been a number of amendments to the original application following consultation. The amendments involved redesign and repositioning of the boatshed, reduction in the number of dwellings and reduction in height of the proposed building, of which the Planning Officer gave a detailed account.

The Planning Officer drew attention to the consultations and representations received. Following the drafting of the report, local residents and the Parish Council's wrote to state that their objections still stood and they had considered, as indicated by the Chairman, that a site visit was needed. The Highways Authority had confirmed that the proposed footway to the north would meet its requirements as would the car parking. They now considered that the application could not be refused on highway grounds, there was an overall improvement in terms of highway safety and they had removed their objection. One of the letters in support of the application had come from the Broads Hire Boat Federation (BHBF) indicating that improvement of the facilities and continuation of the site as a hire boatyard would help in providing links and facilities in this part of the Broads.

The Planning Officer emphasised that as the application proposed a partial change of use from boatyard, the applicant had submitted a viability assessment and details of marketing of the Halls Old Yard section, which covered a full 12 months as required. No new purchasers or alternative or community uses had come forward and therefore criteria of Policy DM26 (b) and criteria (g) of Policy DM28 of the Local Plan had been met. In addition, the viability information and assessment had been assessed by an independent assessor who agreed that the new building was required for the Sanderson Marine part of the site, and that the 3 dwellings would be a means in part to support this continued use of the site as a boat yard.

The Planning Officer addressed the matter of amenity and design, particularly that of loss of light, privacy and loss of outlook. It was acknowledged that there would be some impact on property no 62, but that the loss of light would not be significant and that the amendments to the siting would reduce the impact on the views. There would not be such a significant impact as to warrant a refusal.

The Planning Officer concluded that whilst the site lay outside a defined settlement boundary and included residential development, so was technically a departure from the Local Plan, there were a number of considerations which weighed in favour of the proposal. The site was assessed as a sustainable location with links to services and acceptable levels of public transport. The development would enable the existing marine hire business to continue and an adequate marketing assessment had been made showing that the long-term future of the site in its current use was not viable. Although in an area of flood risk, the proposed improvements to the flood defences and economic support to the existing business, which the proposal would enable, meant that the site had met the Exceptions test and adhered to the Environment Agency's (EA) criteria. The proposals would therefore conform to policy and could be recommended for approval subject to a suitable mechanism to control the implementation of the replacement boatshed building, flood defences and footway prior to the occupation of the dwellings, preferably by a Section 106 agreement and detailed conditions.

Mr Day, owner of no 62 Riverside, Reedham, opposite the boatyard, voiced his concerns set out in his submission. He considered the proposals were in conflict with policy. There was no element of creativity in the design of the building making it worthy of inclusion in such a highly sensitive and prominent location within the Broads National Park. The workshop was considered to represent overcrowding and out of character for a riverside setting. He considered that the new boatshed was double the size of the existing boatshed and therefore contrary to Broads Local Plan Policy DM25. Reedham was well served with housing in the village and therefore there was not a need in such a location. The purpose of the development was to improve the profitability of the business. He considered that the Authority should rule that the present two sites should remain as a whole. He did not feel that the marketing of the one site was sufficient and that it should have included both sites. The provision of housing on the Old Halls site was considered unnecessary, unwanted, outside the development boundary, and in a vulnerable flood zone. He was of the view that the concerns of local residents had not been wholly considered. He called on the Members to decline the application.

Mr Barnes on behalf the applicant, explained that he represented a Trust founded to assist small to medium sized enterprises improve their business and increase their viability and the Trust had a track record of doing so. Sanderson's Marine Craft provided a valuable much needed resource to boats using the southern rivers and was also a positive contributor to the economy of the village. He confirmed that the operator was committed to retaining a boat hire fleet. In response to a question he explained that the operator would no longer retain a crane on site, but hire one as required so as to provide more space for manoeuvre within the site. At present, the repair work was undertaken outdoors and therefore limited to favourable weather conditions. The new boatshed would enable work to be undertaken under cover as required. It was explained that its height of 1.75 metre was the minimum requirement for work to be undertaken on a boat when inside and allowed for floor levels above flood level. Mr Barnes was sympathetic to the resistance from the Parish Council and their right to object

but as the boatyard was a contributor to the village, asked the Committee to support the application.

Following questions, Members were satisfied with regard to the flood risk, the impact on the neighbouring properties, car parking and the manoeuvrability including the use of a hire crane on site only as required. They were encouraged by the extensive discussion and negotiations with the applicant and the resulting modifications of the proposals to attempt to meet the comments from the objectors as well as achieve scale and proportionality. They recognised and were not insensitive to the concerns of the objectors, regretting that there was conflict, but they also considered it essential to maintain operating working boatyards. It was recognised that from the perspective of the Broads as a whole this was one of the only remaining boatyards that provided such facilities in the Southern Broads on the River Yare between Yarmouth and Norwich. It was encouraging to see proposed improvements and investment in a site which would otherwise become derelict. Therefore, on balance they wished to support the proposal subject to there being sufficient controls to ensure the boatshed replacement building was undertaken and other matters in place before the occupation of the dwellings. It was noted that this could be best achieved through a Section 106 Agreement.

Harry Blathwayt proposed, seconded by Bruce Keith and

It was resolved unanimously

Subject to the prior completion of a Section 106 to control the implementation of the replacement boatshed building prior to the occupation of the dwellings, to approve the application subject to the conditions outlined within the report as well as conditions relating to flood defences and the footway and Informatives regarding Broads Authority Rivers Works Permits, EA flood defence consents and Highway specifications.

The development is considered to be in accordance with Policy DM11, DM43, DM26, DM28 and DM5 of the Local Plan for the Broads. Whilst the residential development is not in compliance with Policy DM35 and is therefore a departure from the Local Plan, in this instance other material planning considerations on balance mean that this development is considered to be sustainable development and therefore considered acceptable.

Following a break, Jacquie Burgess and Julie Brociek-Coulton gave apologies for having to leave the meeting.

9. Enforcement Update

The Committee received an updated report on enforcement matters previously referred to Committee. Further updates were provided for:

Former Marina Keys Great Yarmouth – the footpath was now cleared and progress was being made on site to enable development.

Land at the Beauchamp Arms Public House, Carleton St Peter – no further caravans were on the site since 16 September but monitoring was continuing.

Blackgate Farm, High Mill Road, Cobholm: Unauthorised development - following the Committee meeting on 8 November 2019, officers had been in correspondence with Great Yarmouth Borough Council. They had also informed the landowner's representative of the Committee's decision. The pending enforcement action had prompted correspondence with the landowner's solicitor and planning agent. The agent had indicated that they were still in the process of preparing an application for submission. In addition, responses had now been received to the Planning Contravention Notice (PCN), which was issued some time ago. This informed the Authority that only two of the static caravan units were occupied by the landowner's relatives and the other 5 were advertised for rent, thus undermining the claim for private use. The matter had not been resolved and it was intended to serve an Enforcement Notice within the next week. A member queried whether this should be delayed until after Christmas. It was clarified that the Enforcement Notice would not take effect for 6 weeks, which would be well into the new year. There would also be a compliance period of 6 months from the date the Enforcement Notice took effect. It was noted that the landowner would have the opportunity to appeal on grounds including that planning permission should be granted.

It was resolved to endorse the action being taken and note the report.

10. Statement of Community Involvement – consultation responses and adoption

The Committee received the Authority's Statement of Community Involvement (SCI) that had been reviewed, updated and been subject to consultation between 27 September and 22 November 2019. Members noted the comments received and the changes to the draft SCI which were set out as track changes. This was welcomed. The Planning Policy Officer reported that since writing the report, Bramerton Parish Council had responded with no comments. It was noted that North Norfolk District Council and Chedgrave Parish Council had asked for an extension to the deadline for their comments to 13 December 2019. It was not anticipated that there would be any major changes. Therefore, it was proposed that any comments received be assessed and responses to those as well as any potential changes required be discussed with the Head of Planning, Director of Strategic Services and Chair of Planning Committee. Any responses or changes would then be detailed in the report to the Authority when seeking agreement for adoption.

It was resolved to endorse the final SCI subject to any changes considered by the Head of Planning, Director of Strategic Services and Chair of the Planning Committee for inclusion and that it be recommended to the Broads Authority for adoption.

11. Trowse with Newton Neighbourhood Plan

The Committee received a report introducing the Trowse with Newton Neighbourhood Plan. Trowse with Newton Parish Council had submitted the application for the entire parish of Trowse with Newton to be an area designated for the purposes of producing a

Neighbourhood Plan. The nomination had been received on 12 November 2019 and there were no known or obvious reasons to not agree the Neighbourhood area.

It was resolved that the entire parish of Trowse with Newton be approved as a Neighbourhood Area to produce a Neighbourhood Plan.

12. Consultation documents update and proposed responses – Great Yarmouth North Quay

The Committee received a report providing a proposed response to the planning policy consultations from Great Yarmouth Borough Council about helping to guide the regeneration of Great Yarmouth's riverside at North Quay. This would eventually form a Supplementary Planning Document. The key issues for the Broads were understanding and strengthening the historic links between the town and the Broads beyond, maintaining a dark river corridor for wildlife and ensuring safety features were considered as integral parts of any development.

It was resolved to note the report and endorse the nature of the proposed response.

13. Horning and Ludham Conservation Areas – Drafts for Consultation

The Committee received a report and presentation on the work that had been carried out on the re-appraisal of the Conservation Areas at Horning and Ludham as part of the Authority's statutory duty to review Conservation Areas and consider designation of new ones. These defined the special qualities of the area for protection and were important in considering development proposals. Members were asked to consider the drafts and authorise officers to commence a public consultation exercise.

The Heritage Planning officer explained that the Horning and Ludham re-appraisals were the last two Conservation Area re-appraisals to be completed out of the 25 Conservation Areas within the Broads, which had been reviewed over the last 10 years. HARG had considered the draft re-appraisals at its meeting on 7 December 2018 where they were supported by Members and endorsed for consultation. The Heritage Planning Officer provided members with boundary maps of the proposed areas. In Horning it was proposed to retain the main existing area with 2 extensions, one to the north to include the Ropes Hill Dyke waterway and parts of Crabbetts Marsh and the other a satellite area along the River Bure around the church and pumping station. It was also proposed to remove one section.

In Ludham, smaller alterations were proposed with the retention of the centre, small inclusions along Horsefen Road, School Road, Norwich Road and Staithe Road and the exclusion of some farm land. This was based on Historic England's advice and criteria that the Conservation Area should only include those parts of historical value.

It had originally been intended to report the consultation process to Planning Committee in February 2019 but the timetable had not been met in full, although some actions had taken place. The drafts had been submitted to Horning Parish Council in early summer 2019 and

preliminary findings to Ludham Parish Council in August 2019 and then the draft appraisal in October 2019. A site meeting was held with Horning Parish Council on 21 September 2019 and it was anticipated that a site meeting with Ludham Parish Council would take place early in 2020. It was intended that, once endorsed and agreed by the Planning Committee, a public consultation would commence with the production of a summary leaflet to be distributed to all households in the Conservation Area and other stakeholders including the Parish Councils. This would be followed by a public exhibition.

A member commented that North Norfolk District Council was very supportive of the proposed Conservation Areas for consultation. A member queried if there was a residential mooring allocation in the area around Ropes Hill Dyke. The Head of Planning commented that this would not have an adverse effect on the character of the area nor would it compromise the designation. The Authority was required to apply high standards and be objective. Officers would assess whether to include reference to this in the consultation.

Members congratulated the officers on the quality of the material in the draft Conservation Area Re-appraisals, requesting that they contain the proposed boundary maps as part of the report in future. They agreed that the detailed assessment of the areas identified by the draft boundary maps and described in the draft appraisals at Horning and Ludham were worthy of Conservation Area designation.

Fran Whmark proposed, seconded by Bill Dickson and it was resolved unanimously

- (i) to endorse the draft re-appraisals for the Horning and Ludham Conservation Areas and**
- (ii) the public and stakeholder consultation be progressed.**

13a Item of Urgent Business: Building worthy of listing

The Head of Planning reported that the new owner of a property in Wroxham had approached the Authority with a view to making alterations to the building. An application had been submitted to replace all external materials including thatching and historically notable fenestration as well as a Certificate of Lawful Use (CPLUD) for the removal of thatch and replacement with pin tile over the existing roof. Early discussions with a solicitor indicated that the replacement of a thatched roof could fall under permitted development rights. At present, the property in question, Heronby along Beech Road, originally built in 1907 in an Arts and Craft style on a prominent waterside plot in the Broads, was not listed although it was within the Conservation Area and considered to be worthy of listing as Grade II.

The Heritage Planning Officer provided members with the context and history of the building, its special qualities and interest, significance and major contribution to the character of the area as well as its historic connections, having been owned and designed by Charles Curzon as well as in the ownership of George Formby, all of which contributed to the key criteria for listing.

The Head of Planning set out the process of applying for listed building consent. She explained that it would be necessary to issue a Building Preservation Notice (BPN) by way of a temporary listing until a decision on listing could be made. This would be in order to protect a building considered to have special architectural or historic interest, but which was in danger of being demolished or altered in such a way as to affect its character. Once the BPN had been served, the building would be treated as if it were listed and the BPN would remain in force for six months from when it was served and would cease to be in force once the Secretary of State had made a decision.

The Head of Planning drew attention to the risk of liability and claim for compensation. If the Secretary of State decided the building was not worthy of listing, compensation might be payable by the Local Authority for losses sustained by those with an interest in the building as a result of the BPN. The risk of such was clearly stated and in conclusion, it was considered that it was unlikely that commencement of works was imminent, particularly as no application for Building Regulations approval had been submitted and due to the time of year to carry out such works.

Members considered that there was a strong case for the building to be listed.

Fran Whymark proposed, seconded by Andrea Gee and

It was resolved unanimously

- (i) to submit an application to Historic England for the building of Heronby, Beech Road, Wroxham to be nationally listed and**
- (ii) to serve a Building Preservation Notice.**

14. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since April 2019.

It was resolved to note the report.

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 26 October to 20 November 2019.

It was resolved to note the report

16. Date of next meeting

The next meeting of the Planning Committee would be held on Friday 10 January 2020 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich. This meeting was followed by the Members Heritage Asset Review Group (HARG).

The meeting ended at 12.55 pm

Signed by

Chairman

Appendix 1 – Declaration of interests Planning Committee, 06 December 2019

Member	Agenda/minute	Nature of interest
Melanie Vigo di Gallidoro	On behalf of All Members 8 Application BA/2018/0359/FUL	Lobbied: Receipt of letters and photographs from Objectors
Harry Blathwayt	13 Ludham and Horning Conservation Area Reappraisals.	North Norfolk District area and resident of Ludham
James Knight	8 Application BA/2018/0359/FUL 13 Conservation Areas 14 Appeals to SoS	Know applicant Brother did Marketing for the site. Horning Resident. Planning Appeal
Leslie Mogford	12	Appointed by Great Yarmouth Borough Council
Tim Jickells	None other than general as above 8	