

# Planning Committee

## Agenda 27 May 2022

10.00am

Yare House, 62/64 Thorpe Road, Norwich

John Packman, Chief Executive – Friday, 20 May 2022

Under the Openness of Local Government Bodies Regulations (2014), filming, photographing and making an audio recording of public meetings is permitted. These activities however, must not disrupt the meeting. Further details can be found on the [Filming, photography and recording of public meetings](#) page.

### Introduction

1. To receive apologies for absence
2. To receive declarations of interest
3. **To receive and confirm the minutes of the Planning Committee meeting held on 29 April 2022** (Pages 3-9)
4. To note whether any items have been proposed as matters of urgent business

### Matters for decision

5. Chairman's announcements and introduction to public speaking  
Please note that public speaking is in operation in accordance with the Authority's [Code of Practice for members of the Planning Committee and officers](#).
6. Request to defer applications include in this agenda and/or vary the order of the agenda
7. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
  - 7.1. BA/2022/0254/FUL - Habitat restoration works and provision of temporary welfare facility Catfield (Pages 10-21)
  - 7.2. Enforcement - Beauchamp Arms - non-compliance with Enforcement Notice (Pages 22-28)

### Enforcement

8. **Enforcement update** (Pages 29-33)  
Report by Head of Planning

## Policy

9. **Consultation responses – May 2022** (Pages 34-42)  
Report by Planning Policy Officer

## Matters for information

10. **Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – Q1 (1 January to 31 March 2022)** (Pages 43-49)  
Report by Planning Technical Support Officer
11. **Customer Satisfaction Survey 2022** (Pages 50-56)  
Report by Planning Technical Support Officer
12. **Decisions on Appeals by the Secretary of State between April 2021 and March 2022** (Pages 57-62)  
Report by Senior Planning Officer
13. **Decisions made by Officers under delegated powers** (Pages 63-67)  
Report by Planning Technical Support Officer
14. **To note the date of the next meeting – Friday 24 June 2022 at 10.00am at Yare House, 62/64 Thorpe Road, Norwich**

# Planning Committee

## Minutes of the meeting held on 29 April 2022

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## **Present**

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Stephen Bolt, Nigel Brennan, Bill Dickson, Andrée Gee, Gail Harris, Paul Hayden, Tim Jickells, James Knight, Leslie Mogford, Michael Scott and Fran Whymark

## **In attendance**

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

## **Members of the public in attendance who spoke**

None

## **1. Apologies and welcome**

The Chair welcomed everyone to the meeting.

**An apology** was received from Vic Thomson.

## **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. She 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 1 April 2022 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**

No members of the public had registered to speak.

## 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

There were no applications for consideration. Members were reminded that application BA/2021/0248/FUL - Halls Yard, Reedham had been withdrawn by the Agent since the agenda papers had been published.

## 8. Governance - amendment to Scheme of Delegation to include enforcement matters

The Head of Planning (HoP) introduced the report by confirming that the proposed change would follow the same process as that employed when the Scheme of Delegation was last amended in March 2021; the Planning Committee was being asked to review this change before approval was sought at the next Broads Authority meeting.

The Scheme of Delegation required any planning applications where they involved any officer or Authority member to be determined by the Planning Committee. Currently, there was no similar provision for enforcement matters and it would seem prudent to rectify this omission in the Scheme of Delegation. Any enforcement matter involving an officer or Authority member (or their immediate family) which required action to be taken would be referred to the Planning Committee for a decision. Enforcement matters which were resolved through negotiation or those deemed not expedient to pursue would not ordinarily be brought to Committee, and would be resolved via officers alone. This change would ensure transparency of enforcement matters relating to officers and Authority members alike.

A discussion took place that clarified that all enforcement matters are reviewed by officers and any frivolous/spurious objections are to be dismissed at this stage and not pursued. The HoP explained that in exceptional circumstances the Committee might need to consider an enforcement matter where no action was proposed, but this was unusual. An example was given whereby a number of years ago a complaint was received about the change of engine on the trip boat on Rollesby Broad (the mandated outboard was replaced with an equivalent inboard engine). This change was deemed an improvement and it was not considered expedient to pursue the matter, but pressure was being put on the Authority to take action, so to avoid further comeback the decision **not** to pursue the matter was brought to Committee to be approved and entered into the public record. It was also confirmed that in this situation the Committee had the authority to vote against any recommended decision.

Bill Dickson proposed, seconded by Tim Jickells and

**It was resolved by 10 votes for, 2 against and 1 abstention to endorse the proposed change to the Scheme of Delegation and recommend it to the Broads Authority for approval.**

## 9. Enforcement update

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

**Land at the Beauchamp Arms:** Continued non-compliance, caravans still occupied and another caravan was on-site, albeit not occupied. A full report would be provided at the next meeting.

**Blackgate Farm, High Mill Road, Cobholm:** No further information had been received about occupancy. The Authority would be able to make an application for a confiscation order under the Proceeds of Crime Act 2002 if it successfully prosecuted the operator for non-compliance. If the Landowner could not profit from his actions then might choose to desist. A full report would be provided at the next meeting.

**Land east of North End, Thorpe next Haddiscoe:** Contractors have quoted to clear site. Landowner had been informed and had been given until the end of May to clear site and avoid becoming liable for contractor costs.

## 10. Nutrient Neutrality

The Planning Policy Officer (PPO) presented a summary of the report explaining what Nutrient Neutrality (NN) is, why NN is important to planning in the Broads, what lessons can be learnt from other Local Planning Authorities (LPAs), what we are doing about NN and the financial implications.

The Authority was co-ordinating with other LPAs to identify viable mitigations, lobby government regards impacts to Housing Delivery Test (HDT) and 5 Year Land Supply (5YLS) and seek extra government funding.

Norfolk LPAs were also confirming the areas covered by NN; what if site is in the catchment area but the associated Water Recycling Centre (WRC) is not? Liaising with Anglian Water Services to confirm catchment area for each WRC.

In the meantime, no new developments deemed to adversely affect nutrient levels could proceed within the Broads and Wensum SAC catchments until suitable mitigation(s) could be determined.

Members expressed dismay that Natural England (NE) had not consulted the Authority before writing to them in March (in fact no LPAs had been consulted beforehand). A number of members pointed out that this requirement conflicted with the government's levelling-up agenda; had they or NE anticipated the halting of developments where NN was required?

The Authority was a small player in this context, but Norwich's new social housing development had been delayed and future big developments were on hold with 100s of homes impacted. These delays had extended over a year in other areas where they had been dealing with NN for a few years now.

Members were concerned that there would be numerous unintended consequences associated with NN. It could push development out of the designated NN catchment areas and put pressure on less restricted/protected areas. Brownfield sites could appear less appealing as their size and nature offer less opportunities for mitigation (unlikely to have spare land to add reed beds for mitigation purposes).

NN ran the risk of undermining food security, by incentivising the change of use of agricultural land. And would jeopardise new uses such as inland aquaculture.

A member pointed out that third parties like the Broads Authority and Norfolk Wildlife Trust would be able to contribute mitigation solutions. The HoP added that the Nature Recovery Programme, Farming in Protected Landscapes and other similar projects would play a role in this context. NN would ultimately improve the water quality of the rivers flowing through the Broads.

It was noted that long term solution rested with Anglian Water and extra investment in their infrastructure. This investment would be phased over time and larger developments could be synchronised to take advantage of this ongoing mitigation. Could there be a dispensation today for pipeline improvements that deliver mitigation in the future?

The PPO also noted that NN along with upcoming new environmental focused building standards and electric vehicle charging infrastructure would all add extra cost to the process. What other planning obligations would be sacrificed?

A member pointed out that NE licenced caravan clubs “to act as their own planning authority” and asked whether NE would stop Temporary Holiday Sites in NN areas. The PPO was constantly raising questions with NE and would include this at the next opportunity.

Members thanked those involved for their hard work and wished them success in their petitions to government.

**The report was noted.**

## **11. Nature recovery green paper - protected sites and species**

The Planning Policy Officer (PPO) introduced the report which summarised this green paper and highlighted potential impacts to Habitats Regulations Assessment, Environmental Impact Assessments and Strategic Environmental Assessments. The PPO confirmed that National Parks England would be drafting a unified response and we would await the results of the consultation.

The Chair thanked the PPO for their efforts on this paper.

**The report was noted.**

The Committee adjourned at 11.23 am and reconvened at 11.30 am.

## 12. Oulton Neighbourhood Plan - agreeing to consult

The Planning Policy Officer (PPO) introduced the report, which sought agreement for public consultation to go ahead on the Oulton Neighbourhood Plan. The PPO was pleased to inform the Committee that all her feedback had been incorporated into the plan.

Paul Hayden proposed, seconded by Fran Whymark, and

**It was resolved unanimously to endorse the Oulton Neighbourhood Plan, REG16 version for consultation.**

## 13. Local Plan - Issues and Options Bite Size Pieces

The Planning Policy Officer (PPO) introduced the report, which provided members with sections on Nutrient Neutrality, Biodiversity Net Gain and Recreation Avoidance Mitigation Strategy from the emerging draft Issues and Options stage of the Local Plan, and invited members' thoughts and comments.

Members were keen to engage the public in these matters but wanted to make it clear that the requirements were not set by the Authority. Given that the policy papers were at different stages of their lifecycle would add extra complication to the consultation. The Issues and Options needed to make it clear that this section was for information only purposes. The HoP indicated that existing Local Plan has a chapter that captured policy context so could adopt a similar approach "to highlight the direction of travel on relevant policy areas". A member suggested that it would be beneficial for the Authority to be seen to be holding Anglian Water to account on areas such as flood management and Nutrient Neutrality.

The PPO thanked members for their feedback.

**The Committee's response on the NN, BNG and RAMS sections of the Issues and Options was noted.**

## 14. Notes of the Heritage Asset Review Group meeting held on 25 March 2022

The Committee noted the minutes of the Heritage Asset Review Group meeting held on 25 March 2022. The Chair noted the poor attendance from members and encouraged greater involvement. To this end, it was hoped to hold a future meeting at the Museum of the Broads in Stalham where members can experience some of the Broads' cultural heritage first hand.

The Chair indicated that the next HARG meeting will be on Friday 17 June and reminded everyone that it is open to all members.

## 15. Appeals to the Secretary of State

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



## 16. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 21 March 2022 to 15 April 2022 and any Tree Preservation Orders confirmed within this period.

## 17. Date of next meeting

The next meeting of the Planning Committee would be on Friday 27 May 2022 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting ended at 11:44am.

Signed by

Chair

## Appendix 1 – Declaration of interests Planning Committee, 29 April 2022

Member	Agenda/minute	Nature of interest
Harry Blathwayt, Nigel Brennan, Andrée Gee, Gail Harris, James Knight, Leslie Mogford and Fran Whymark	10	Member of a local authority impacted by the issue of nutrient neutrality – other registerable interest
Andrée Gee	12	East Suffolk Councillor - other registerable interest

# Planning Committee

27 May 2022

Agenda item number 7.1

## BA/2020/0254/FUL Habitat restoration works and provision of temporary welfare facility Catfield

Report by Senior Planning Officer

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### Proposal

Habitat restoration/creation works and hydrological connectivity works at Catfield Fen and the provision of a temporary welfare facility for the duration of the works

### Applicant

RSPB – Dr Daniel Hercock

### Recommendation

Approval subject to conditions.

### Reason for referral to committee

Major Application due to site area

### Application target date

16 November 2020

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## 1. Description of site and proposals

- 1.1. The application site is land owned by the Butterfly Conservation Trust and managed by the RSPB under a formal management agreement. Catfield Fen is part of the Ant Broad and Marshes National Nature Reserve (NNR), which covers much of the floodplain of the middle Ant Valley. The NNR is one of the best and largest remaining areas of fen habitat in Western Europe and within it there are a significant number of areas designated for their nature conservation value. Catfield Fen is part of the Broadland Special Area of Conservation (SAC), the Broadland Special Protection Area (SPA), the Broadland Ramsar and the Ant Broad and Marshes Site of Special Scientific Interest (SSSI).
- 1.2. Catfield Fen is managed entirely as a nature reserve for the benefit of wildlife with a Natural England approved SSSI and NNR Management Plan in place and a Higher-Level Stewardship agreement running until 2023. The reserve supports a wide range of SSSI and SAC species and habitats and of particular note are its areas of SAC Calcareous Fen (an Annex 1 priority habitat) and its very large population of fen orchid (an Annex 2 priority species).
- 1.3. The site is within the Landscape Character Area 28 'Ant Valley - Wayford Bridge to Turf Fen'. This is often a difficult area to view as much is inaccessible and carr woodland often terminates views within the area and to the landscape beyond. There is a contrast between the business of the waterways (during the summer months) and the limited land-based access. Both the RSPB and Butterfly Trust allow for limited access by visitors, but there are no direct public access points to the site.
- 1.4. The application documents state that Catfield Fen is currently in 'unfavourable declining' SSSI condition, due to hydrological change reducing the extent of Calcareous

Fen and habitat suitable for fen orchid. Considerable work has been done in recent years to understand the causes for this unfavourable change. The hydrological conditions of the site have seen a change from alkaline to a more acidic condition and the expansion of areas of Sphagnum moss and acidic peat deposits.

- 1.5. The application sets out that the RSPB consider there to be three reasons why the site and hydrological conditions have changed, and that there is broadly speaking scientific consensus on these. These are, firstly, unsustainable levels of groundwater abstraction in the vicinity of the site; secondly potentially unsuitable management of surface water on and adjacent to the site; and thirdly - natural vegetation succession and accumulation of peat exacerbated by a lack of peat removal in places.
- 1.6. Planning permission is sought for a variety of measures to improve the drainage of the site and reduce its acidity in order to return the site characteristics to favourable SSSI status. These works include the restoration of ditches and the removal of sphagnum, scrub stumps and additional peat to restore wet fen in discrete areas of fen particularly affected by acidification. Planning permission is required because much of this work constitutes an engineering operation and is therefore development.
- 1.7. The scheme as originally submitted had been on a slightly more involved and larger scale, however it has been scaled back in response to representations made by a neighbouring land owner, Natural England, and the Broads Authority (BA) ecology team. Further information has also been provided.
- 1.8. The revised scheme would see works within the site in 7 specific areas as shown on the block plan attached at Appendix 2. The works would vary dependant on each area, but, in summary, would involve the use of an excavator to restore ditches (approximately a total of 650m), scrape away Sphagnum moss and additional peat to create wet fen, with removed material deposited on bank tops and allowed to dry and revegetate. Excavators would also be used to remove small tree/ scrub stumps and additional peat to create wet fen with pools and ponds. The proposal would also include the provision of a number of new sections of drainage pipework to link these areas to improve the movement of surface and ground water and also river water when the area is inundated to reverse the acidification of the water within the site.
- 1.9. The site access would be via the existing accesses and the machinery would be delivered to the site with a banksman to accompany these vehicles. Parking for operators would be provided within two areas, comprising the existing 6 parking spaces at Catfield Staithe and a temporary parking area on an area of grass within the site.

## 2. Site history

- 2.1. There is no specific planning history relevant to this site, however the application sets out the nature reserve and SSSI history within the supporting documents, including discussion of the recent changes to ground water abstraction in the area which may

result in better conditions at the site regarding ground water quality, and increased water levels at the site.

- 2.2. Planning permission was granted in February 2021 for habitat restoration work at Sutton Fen (BA/2020/0238/FUL).

### **3. Consultations received**

#### **Parish Council**

- 3.1. The Parish Council does not have the expertise to assess authoritatively the scientific merits of the proposals but it notes their significant scale and the use of heavy machinery. It would therefore ask the relevant bodies, the Broads Authority and Natural England, to consider their content carefully and not just approve them as 'self-evidently a good thing'.
- 3.2. It also notes the proposed access of large vehicles via Fenside and would request that great care be taken to avoid damage to the banks in this narrow lane.

#### **Environment Agency**

- 3.3. Support the plan to restore the ditch network at Catfield Fen, using the methods and timings described in the application.

#### **Natural England (NE)**

- 3.4. Further information required to determine the HRA has been requested which would include details on impacts on the site. No response to additional information at the time of writing. A verbal update will be given.

#### **Broads Drainage Board**

- 3.5. In order to avoid conflict between the planning process and the Board's regulatory regime and consenting process, please be aware of the presence of a number of watercourses which have not been adopted by the Board (riparian watercourses) within the site boundary and that works are proposed to alter these watercourses. To enable these proposals, consent is required under Section 23 of the Land Drainage Act 1991 (and byelaw 4). The Broads Drainage Board have spoken with the applicant directly and the Board anticipates receipt of an application form for the relevant consent.
- 3.6. Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such the Broads Drainage Board strongly recommend that the required consent is sought prior to determination of the planning application.
- 3.7. The Broads Drainage Board have discussed their consenting process with the applicants directly and it is anticipated that an application would be forthcoming in due course.

### **BA Ecologist**

- 3.8 The plans which have now been amended from the initial proposal have shown careful consideration of the need to balance the restoration works needed to help the site recover condition, with the need to avoid adverse impacts on existing protected features.

- 3.9 The reduction in scale has reduced the amount of peat spoil to be removed and also ensured that spoil will not be placed on the fen (pending location for Area 7)

Whilst the peat is not able to remain wet, we feel that the reduction in scale, avoidance of impacts on existing fen communities and the careful siting of pipes/footdrains is a sensible resolution that balances the interests of the site.

- 3.10 Careful consideration has been given to where restoration works have been reduced in area to concentrate on the most degraded areas and avoid those where current or future interest may be enhanced. It is felt that Option 1 for Area 7 would be the preferred placement for spoil as this offers the opportunity for ground improvement and avoids placement on the fen. Depending on elapsed time, the temporary bank created from the initial investigation may require survey before being moved in case of reptile interest.

- 3.11 We note the proposed methodology for water voles working outside a wildlife licence and would like to further note that all such works should avoid impacts to existing populations. It is the responsibility of the applicant to have considered this fully, consulting with Natural England's wildlife licensing team as appropriate.

- 3.12 It is felt the works proposed will have a short scale disturbance and the benefit from this will be improved habitats benefiting flora and fauna across the site.

### **BA Landscape**

- 3.13. No objection to the proposals. Although the short-term landscape effects would be adverse, these would be offset by longer-term landscape benefits. Assessment of the re-use of peat should be made as this has not been explored in the peat statement.

### **BA Tree Officer**

- 3.14. The BA Tree officer has visited the site and reviewed the proposed ditch restoration works. They confirm that whilst there is likely to be loss of some trees as part of the proposed works, this is for the greater good, with regards the habitat restoration and therefore the BA Tree officers has no objections to the proposed works.

## **4. Representations**

- 4.13. One representation has been received regarding the amended scheme. Acknowledge the reduction in the scale of the proposal as a positive. However, raise a number of issues:

- Nature and timing of works – would it not be better to wait for changes to be assessed due to reduction in abstraction
- Ecological assessment is not adequately detailed and does not discuss potential adverse impacts
- The information on peat has not addressed Policy DM10 adequately
- A construction management plan has not been submitted in support of the application. Nor has an ecological mitigation plan been submitted
- Detail of visual impact statement, transport, or archaeology have not been addressed by the applicant.

## 5. Policies

5.13. The adopted development plan policies for the area are set out in the [Local Plan for the Broads](#) (adopted 2019).

5.14. The following policies were used in the determination of the application:

- DM1 Major Development in the Broads
- DM5 Development and flood risk
- DM10 Peat soils
- DM13 Natural Environment
- DM16 Development and Landscape
- DM18 Excavated Materials
- DM23 Transport, highways and access

5.15. The National Planning Policy Framework (NPPF) is a material consideration.

## 6. Assessment

6.13. The key reason why this development has been proposed is to address the current 'unfavourable declining' SSSI condition. The key consideration is the principle of this development including an assessment of impacts upon the site's biodiversity and the balance of these impacts. Due to the type of work and scale of the site an additional key consideration is the landscape impact of this proposal. The impact upon neighbouring amenity is also a consideration.

### Principle of development

6.14. The scheme is presented as a series of works proposed in order to reverse the decline of the habitat at this site. Habitat restoration is supported in principle by Local Plan Policy DM13, the development is assessed against the relevant criteria below.

- 6.15. Policy DM13 criteria (a) requires that development will protect biodiversity and minimise the fragmentation of habitats. In this case, the proposal would not result in the fragmentation of habitat, and subject to completion of the mitigation for water voles in line with any subsequent Natural England Licences, the proposal would protect biodiversity. Criteria (b) requires that development maximises the opportunities for restoration and enhancement of habitats. The application identifies in detail how this will be achieved, including cases studies and best practice for this specific type of fen management and restoration. This includes the need to remove acidic peat soils and sphagnum moss, improve surface water drainage to move away acidic acid water and allow alkaline river (flood) water into the site. It is considered that criteria (b) has been met.
- 6.16. Criteria (c) of Policy DM13 requires the scheme to incorporate biodiversity and geological conservation features. The proposed pools and areas of fen created would mean that this development complies with these criteria. The proposal does not include additional green infrastructure as this is not considered appropriate in this sensitive location. This is acceptable in relation to criteria (d) of Policy DM13. Criteria (f) requires that where there is impact on the special features of an SSSI that the benefits of the works in terms of habitat restoration are on balance greater than those impacts. The Environment Team have carried out a Habitats Regulation Assessment and have advised that overall, they do not consider there will be a likely significant effect and that the improvements to the fen around the site are on balance, greater than the impacts.
- 6.17. In regards to the removal of peat, Policy DM10 is relevant. This policy sets out that even in instances where the principle driver of the proposal is for habitat restoration/creation, the criteria of this policy must be met.
- 6.18. Criteria (i) of Policy DM10 states that consideration should be given to whether there is a less harmful viable option for the development. Alternative proposals that are less harmful (for example, no excavation of peat) have been argued to be less likely to be successful on the basis of results from previous schemes of a similar nature and with similar desired outcomes. On this basis thought has been given to criteria (i). On balance, considering the need to address the declining habitat status and limited evidence that a do-nothing approach could be successful, it is considered that this development would meet criteria (i).
- 6.19. Criteria (ii) of Policy DM10 requires development to have reduced the amount of harm to the minimum possible. In this instance, the scheme has been amended by the reduction in the scale and scope of the works and this has reduced the harm. The applicant advises that the reuse of the peat has been considered as not feasible owing to concerns over further disturbance and damage to the site. However, the extent of the removal is not large. Creation of better habitat for fen orchid is the goal. Sphagnum scraping will also remove peat. As re-use is not possible peat will be left on site to dry out and could then be removed at a later date. The peat may never dry out fully and so



may not result in a total carbon loss. The amount of peat removal is limited to locations that will have the most benefit in restoring favourable conditions for the important site features, whilst also avoiding designated habitat and protected species. On this basis the proposal is considered to meet criteria (ii) of this policy.

- 6.20. Criteria (iii) requires that sufficient provision is made for the evaluation, recording and interpretation of the peat is made before the commencement of development. Details have been provided with the application following peat coring at the site.
- 6.21. The final criteria of DM10, criteria (iv), requires peat to be disposed of in a way which will limit carbon loss to the atmosphere. There will be loss of carbon from storage in the peat as peat is exposed due to the works proposed and placing the peat spoil onto the banks around the site will release carbon. However, this will be balanced by the improvements made to the fen around the site and the proposal is therefore considered on balance, to comply with this criteria of the policy.
- 6.22. There is a requirement for the development to consider for protected species, both under the planning regime and under relevant Natural England Licencing. The BA ecologist has identified that a Protected Species licence for water voles is likely to be needed, due to the presence of voles and proposed changes to the profile of the dykes. Further information has been submitted which has clarified the situation with regards to water voles on site.
- 6.23. A mitigation strategy & method statement have been produced which would seek to avoid or minimise impacts. This strategy includes timings, and it is considered that proposed works have been timed appropriately. On this basis the proposal is now considered to be a robust approach. The applicant is considering requirements for licence in discussion with the licensing department at NE. Subject to an appropriately worded condition requiring ongoing monitoring of populations post works the scheme has been considered in relation to the protected species of water vole to be in accordance with Policy DM13 of the Local Plan for the Broads.

### Impact upon the landscape

- 6.24. The proposal has been assessed by the Broads Authority's landscape architect and there are two types of impacts - landscape effects and visual effects. Landscape effects can be described as the change in the physical landscape, which may change its character or value, whilst visual effects would be changes to specific views which may change the visual amenity experienced by people.
- 6.25. The proposed works would have a number of direct landscape effects. Landscape changes would include the raising of existing bank levels by up to 0.5m and the excavation of peat to create wet fen and pools. Although these effects would be adverse in the short term, they would be ameliorated over time as vegetation and habitat developed and increasing the area of fen and pools would not be uncharacteristic for the site. There would also be impacts from the plant movement on site, which would create disturbance, although this would only be temporary.

- 6.26. Visual effects caused by changes to the appearance of the site would result from the deposition of excavated material on to existing banks and ditch sides. This would have an adverse visual effect for a temporary period before vegetation re-established, but would have minimal long-term impact.
- 6.27. Potential visual receptors are limited and may include nearby dwellings and boat users, whilst the occupiers of dwellings along Fenside may notice movement of machinery and contractor's vehicles during construction periods. It is unlikely that there would be any views of the site from the Staithe, Barton Broad or the river due to intervening vegetation and bunds, however boat users at Irstead Staithe (approximately 425m to the south of the site) may be aware of the noise from the works. Overall, the visual effects are likely to be limited and temporary. The proposed works would have landscape character impacts, however these would not be adverse as the works are characteristic of the area. Protection of the hedges and edges, and restoration of these would be required through condition. The proposed development is considered to accord with Policy DM16.

#### **Amenity of residential properties and access**

- 6.28. The development would have an impact upon the amenity of those living and working in this area during the works phase as there would be a degree of disturbance associated with the transport of plant to the site, along with potential for noise during the excavation works. However, the application supporting statement has set out a number of measures to mitigate this. These include the use of a banksman, specified car parking provision and also the provision of a site hut during the development to ensure that the site would be habitable for workers but impacts upon neighbours limited. Hours of operation would be limited by condition to Monday – Friday and 08:00 to 18:00 hours which is considered acceptable. On this basis the proposal is considered to accord with Policy DM21.
- 6.29. The wider area is surrounded by arable farm land and therefore farm traffic of a similar scale is accommodated within the highway network.

#### **Other issues**

- 6.30. Other consents are likely to be required separate to the planning process; the applicant has been made aware of this.

## **7. Conclusion**

- 7.13. The development has been proposed as part of the ongoing management of the RSPB's Catfield Fen Nature Reserve, which is required to protect its status as an SSSI and address the decline in the habitat. The works as proposed are therefore supported in principle by Policy DM13 and the NPPF.
- 7.14. The works do involve excavation of peat and creation of new landscape features. These landscape features would not have an adverse landscape impact and the works to complete this proposal would not have an adverse impact outside of the initial works

period once revegetated. The works proposed are considered to be in line with existing examples of best practice and is acceptable. There are additional separate licencing requirements that will need to be met, but these are not a planning consideration.

- 7.15. On balance, the benefits of the scheme in terms of protecting the site's conservation importance outweigh in principle the impacts of the potential for loss of peat in the form of potential CO<sub>2</sub> emissions.
- 7.16. The potential for adverse impacts on the site's protected features, habitat and species has been identified and assessed in the form of a Habitats Regulation Assessment. A response from Natural England is awaited and this will be reported to members orally at the meeting.

## 8. Recommendation

- 8.13. Subject to Natural England being satisfied with the additional information and conclusions of the HRA, it is recommended that the application be approved subject to conditions as follows:
- Standard time limit.
  - Standard plans condition.
  - Flood response plan.
  - Reasonable access made available to the site to record the peat from relevant bodies should it be required prior to commencement of development.
  - Time limit for the site hut and additional car parking area to permit this on a temporary basis only.
  - Any conditions required by the BA Ecologist and/or Natural England.

Author: Cheryl Peel

Date of report: 13 May 2022

Appendix 1 – Location map

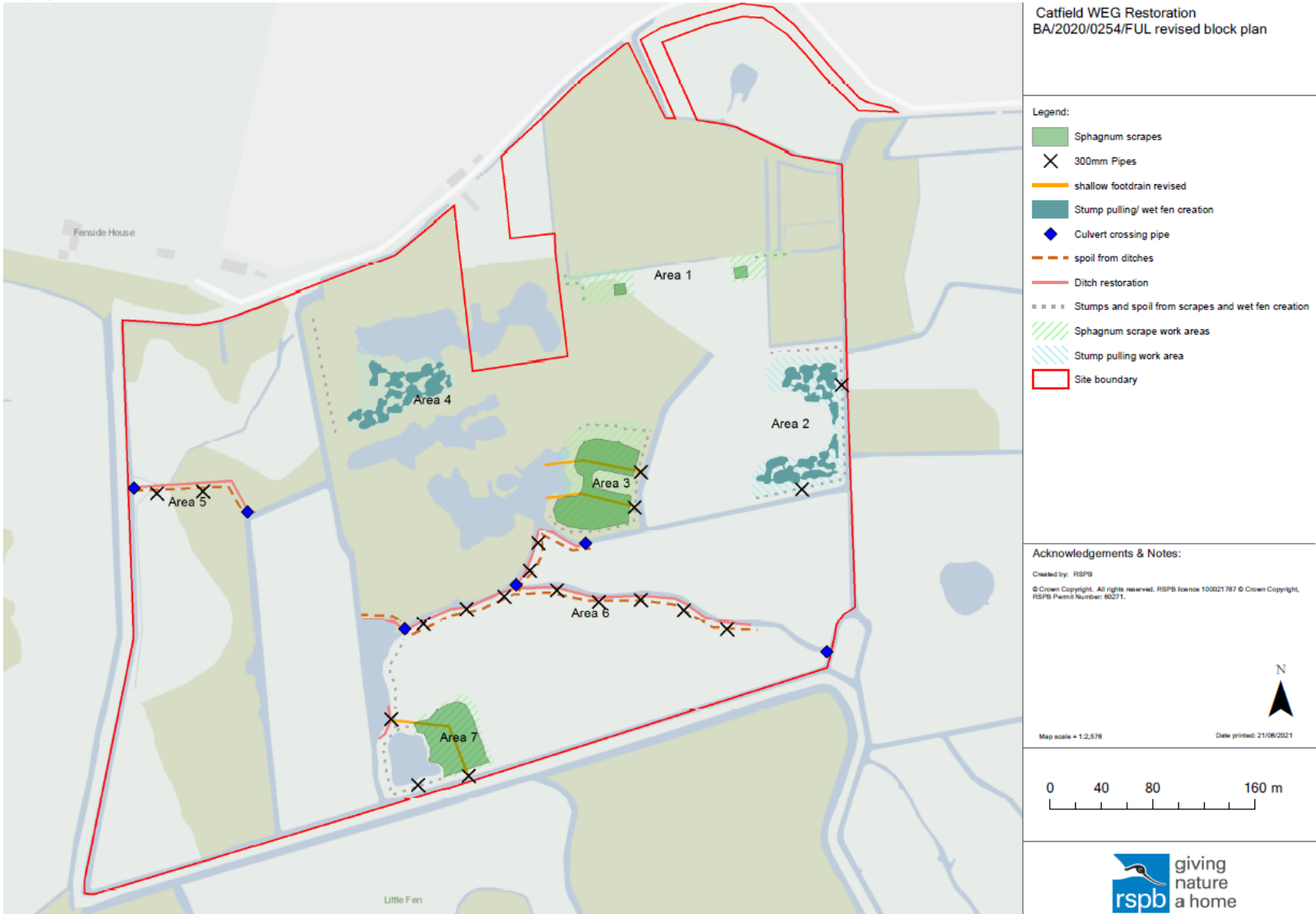
Appendix 2 – Block Plan

## Appendix 1 – Location map



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Appendix 2 – Block Plan



# Planning Committee

27 May 2022

Agenda item number 7.2

## Enforcement- Beauchamp Arms- non-compliance with Enforcement Notice

Report by Head of Planning

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### Summary

In November 2021 an Enforcement Notice (EN) was served requiring the cessation of the use of static caravans for residential purposes and their subsequent removal. The EN has not been complied with and the unauthorised uses are continuing, which is an offence. There are further breaches on the site.

### Recommendation

That members authorise the commencement of prosecution proceedings in respect of non-compliance with an Enforcement Notice and the serving of an Enforcement Notice and Stop Notice in respect of the other breaches.

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## 1. Introduction and legal background

- 1.1. An effective enforcement service is a fundamental part of the planning system. It ensures compliance both with planning law and planning conditions, investigates and resolves planning breaches and, where necessary, instigates direct action or

prosecution in order to achieve compliance. The latter are usually remedies of last resort. The National Planning Policy Framework (July 2021) states at paragraph 59 that “Effective enforcement is important to maintain public confidence in the planning system” and the law gives a Local Planning Authority (LPA) a wide range of powers that it can use in the discharge of its enforcement duties.

## 2. Unauthorised development at the Beauchamp Arms

- 2.1. The Beauchamp Arms Public House is situated in a remote location between the villages of Claxton and Langley on the south bank of the River Yare. It is a very prominent building over three storeys with moorings for craft on the south bank and it immediately adjoins Buckenham Sailing Club which is to the south east of the Beauchamp Arms alongside the River Yare. It sits in a big plot, with a large open area to the rear and a long driveway which connects it to the public highway.
- 2.2. In May 2018 officers became aware that a number of static caravans had been installed on land adjacent to the driveway at the Beauchamp Arms. The operator indicated that he intended to refurbish them as accommodation for fishermen. At a site visit in July 2018, it was noted that they had been moved to the car park to the rear of the premises, and the operator was asked to remove them off site by the end August 2018. They were not removed and a [report](#) was brought to the Planning Committee meeting on 14 September 2018 meeting seeking authority to serve an Enforcement Notice and for prosecution in the event of non-compliance.
- 2.3. By the date of the Planning Committee meeting, one of the units had been removed and two relocated to land adjacent to the access drive; one remained on the car park. None were in use. Members resolved to give authority to officers to issue an Enforcement Notice requiring the removal of unauthorised static caravans, should there be a breach of planning control and it be necessary, reasonable and expedient to do so. Officers continued to monitor the site.
- 2.4. In September 2019 a fourth caravan was installed on the site. In October 2020, following complaints about work at the site, it was found that three static caravans had been located to rear of the site, with a close boarded fence around them, effectively creating a compound. The operators were present and advised that the caravans were being used by workers at the pub and the intention was to use them as additional accommodation to support the viability of the pub. Officers were authorised to view them. Officers found services appeared to be attached to the caravans (i.e. electricity, water and bottled gas) and that two of the caravans appeared to be occupied.
- 2.5. In November 2020 a Planning Contravention Notice (PCN) was served requiring the provision of information on the ownership and use of the units. The operators failed to complete the PCN satisfactorily, such that the LPA was unable to reliably establish the current use of the caravans. Following protracted correspondence on the matter with the operators, on 5 February 2021 a [report](#) was brought to Planning Committee meeting seeking authority to prosecute for non-compliance with the obligations in the

PCN, which is an offence. Members resolved to authorise the commencement of prosecution proceedings in respect of non-compliance with a PCN.

- 2.6. Prosecution proceedings were commenced and at a hearing in June 2021 the operator pleaded not guilty and a trial date was set for September 2021.
- 2.7. In August 2021 the LPA received information on the activities at the site, including details of the occupation of the caravans. Legal advice was sought and, mindful that the purpose of the original PCN was to get sufficient information to enable the LPA to establish whether or not there was a breach of planning control (and, if there was a breach, the nature and extent of that breach), the prosecution was withdrawn. On 7 September 2021 a further PCN was served, with the purpose of confirming the information received. The response received on 27 September 2021 indicated two of the caravans were occupied and it was confirmed by South Norfolk Council that Assured Shorthold Tenancies had been issued.
- 2.8. On 30 November 2021 an Enforcement Notice was served. This required the recipient:
  - i. To permanently cease the use of the Land for the standing and use of the static caravans marked with a X and Y for residential purposes; and
  - ii. To remove the caravans and any structures, fixtures or otherwise upon which they sit from the Land; and
  - iii. To permanently disconnect all the services which have been provided to the static caravans (water and electricity) and remove the pipework and cables which have been laid to provide these services, from the Land and make good the excavated trenches to the same level as the surface of the adjacent land.

The deadlines for compliance were by 29 March 2022 for (i) and 29 April 2022 for (ii) and (iii). No appeal was submitted against the Enforcement Notice.

- 2.9. The site was visited on 4 April 2022 and the caravans appeared to be still in occupation. A PCN was served on 8 April seeking information on the use of the caravans and the response was provided at a meeting on 12 May 2022, at which it was confirmed that the two units are still being used for residential purposes.
- 2.10. The Enforcement Notice has therefore not been complied with, either in terms of the cessation of the use or the subsequent actions required to clear the site.

### **3. Other information.**

- 3.1 There are further breaches of planning control at this site.
- 3.2 At the October 2020 site visit officers found that a small extension was being built on the western side of the public house building. The operators were advised that planning permission was needed but indicated that they would not make an application. The extension is not unacceptable and would be likely to be granted planning permission were an application to be submitted, so no action has been taken.



- 3.3 At the 4 April 2022 site visit officers noted that a further caravan was stood adjacent to the compound where the other units are sited; this unit was unoccupied at that time. Two street lighting standards had also been installed within a raised kerb arrangement which formalises the separation of the caravan compound from the pub car park and access. There is no planning permission for this development.
- 3.4 At a site visit on 12 May 2022 it was found that a two-storey workshop measuring approximately 15m x 5m was under construction to the west side of the access road. Made of wood, the construction was well advanced, with a mezzanine floor over part of the height and first -fix wiring and insulation in place. Located in a prominent area away from the other buildings on the site, the structure is of a poor-quality design and standard of construction. A small single storey shed building was also under construction on the east side of the track. There is no planning permission for the workshop or a shed and neither are acceptable due to the adverse impact on the appearance of the site and the local landscape. A Temporary Stop Notice was served on 13 May 2022. This requires the cessation of all works on these buildings. A Temporary Stop Notice is valid for 28 days and there is no right of appeal.
- 3.5 At the site visit on 12 May 2022 it appeared that the additional caravan is being prepared for occupation, in that it has been decorated and curtains have been hung. There was no residential use at that point.

## 4. Action proposed

- 4.1. Prior to serving the Enforcement Notice there was full consideration of whether this was a suitable site for new residential development and it was concluded that it was not, for reasons including the unsustainable location, the visual impact of the structures and the poor standard of accommodation and amenity that they offer the occupants. Until the Enforcement Notice has been complied with, these adverse impacts will continue.
- 4.2. It is considered that the operators here have ignored the statutory planning requirements and then sought to frustrate the planning process. They are aware that planning permission is needed for the occupation of the static caravans, but have let them out without permission regardless. When the LPA has sought to investigate the breach, they then either failed to respond properly to PCNs or gave scant, imprecise information that the LPA has had to verify elsewhere in order to establish the position. They have not complied with the Enforcement Notice and in discussions have given no indication that they intend to.
- 4.3. The LPA has a statutory duty to investigate enforcement matters and to take action where it is expedient to do so. It also has a duty to take action to uphold public confidence in the planning system. It is proposed that the LPA commence prosecution proceedings against the operator for failing to comply with the Enforcement Notice.

- 4.4. With regard to the other breaches, it is not proposed to take any action in respect of the extension to the pub building as this is not unacceptable.
- 4.5. The lighting columns and kerbway development appears to be connected to the caravan compound, in that this is the area they illuminate and partition. It is considered that the structures domesticate and urbanise the external space and are of an inappropriate design for this rural location; it is also likely that they will have an adverse impact on the dark sky qualities of the area. It is considered that enforcement action in the form of an Enforcement Notice could be justified.
- 4.6. Regarding the new workshop building, the Temporary Stop Notice will prevent any further works until 11 June 2022, when it will expire. It is considered that the permanent retention of this building is unacceptable and enforcement action in the form of an Enforcement Notice can be justified. An Enforcement Notice takes effect 28 days after it is served, so it would be necessary to serve a Stop Notice simultaneously to prevent there being a time 'window' between the expiry of the Temporary Stop Notice and the Enforcement Notice coming into effect during which the operators could complete the works. Whilst this would, of course, be at their own risk, it is a pragmatic approach to seek to minimise the extent of the unauthorised development which the operators will – in due course – need to remove.
- 4.7. The small single storey shed is covered by the Temporary Stop Notice, meaning that no further works can take place currently. It may be the case that such a building is acceptable, subject to details of location, design and construction, and it will be appropriate to look at further.

## **5. Financial implications**

- 5.1. There will be a financial cost associated with a prosecution. The extent of this will depend on whether or not the landowner pleads guilty or offers a defence; the complexity of the proceedings will also have an impact. If the matter proceeds to trial the costs are likely to exceed £5,000.
- 5.2. The threat of legal proceedings does sometimes prompt compliance.

## **6. Risk implications**

- 6.1. There are reputational risks arising from the LPA failing to take action where there has been an abuse of its lawful processes.

## **7. Recommendation**

- 7.1. That members authorise:
  - i. the commencement of prosecution proceedings in respect of non-compliance with an Enforcement Notice;

- ii. the serving of an Enforcement Notice in respect of the lighting columns, kerbway and workshop building, requiring their removal, and the inclusion of the single storey shed building if justified and expedient; and
- iii. the serving of a Stop Notice in respect of the workshop building.

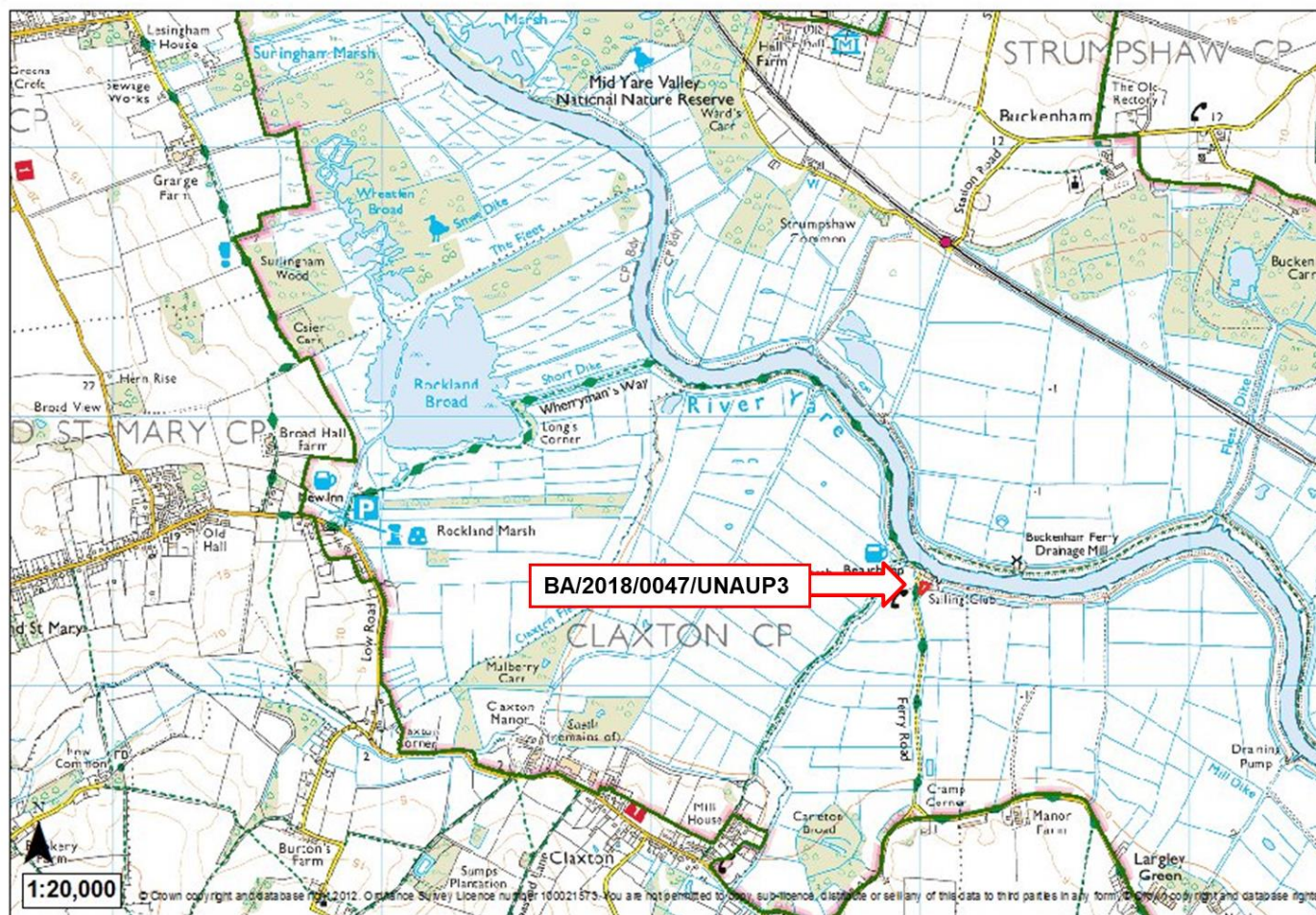
Author: Cally Smith

Date of report: 16 May 2022

Appendix 1 – Location map

## Appendix 1 – Location map

BA20180047UNAUP3 Beauchamp Arms, Carleton St Peter



# Planning Committee

27 May 2022

Agenda item number 8

## Enforcement update

Report by Head of Planning

### Summary

This table shows the monthly updates on enforcement matters. The financial implications of pursuing individual cases are reported on a site by site basis.

### Recommendation

To note the report.

Committee date	Location	Infringement	Action taken and current situation
14 September 2018	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised static caravans	<ul style="list-style-type: none"> <li>Authority given to serve an Enforcement Notice requiring the removal of unauthorised static caravans on land at the Beauchamp Arms Public House should there be a breach of planning control and it be necessary, reasonable and expedient to do so.</li> <li>Site being monitored. October 2018 to February 2019.</li> <li>Planning Contravention Notices served 1 March 2019.</li> <li>Site being monitored 14 August 2019.</li> <li>Further caravan on-site 16 September 2019.</li> </ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Site being monitored 3 July 2020.</li> <li>• Complaints received. Site to be visited on 29 October 2020.</li> <li>• Three static caravans located to rear of site appear to be in or in preparation for residential use. External works requiring planning permission (no application received) underway. Planning Contravention Notices served 13 November 2020.</li> <li>• Incomplete response to PCN received on 10 December. Landowner to be given additional response period.</li> <li>• Authority given to commence prosecution proceedings 5 February 2021.</li> <li>• Solicitor instructed 17 February 2021.</li> <li>• Hearing date in Norwich Magistrates Court 12 May 2021.</li> <li>• Summons issued 29 April 2021.</li> <li>• Adjournment requested by landowner on 4 May and refused by Court on 11 May.</li> <li>• Adjournment granted at Hearing on 12 May.</li> <li>• Revised Hearing date of 9 June 2021.</li> <li>• Operator pleaded 'not guilty' at Hearing on 9 June. Trial scheduled for 20 September at Great Yarmouth Magistrates Court.</li> <li>• Legal advice received in respect of new information. Prosecution withdrawn and new PCNs served on 7 September 2021.</li> <li>• Further information requested following scant PCN response and confirmation subsequently received that caravans 1 and 3 occupied on Assured Shorthold Tenancies. 27 October 2021</li> <li>• Verbal update to be provided on 3 December 2021</li> </ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>Enforcement Notices served 30 November, with date of effect of 29 December 2021. Compliance period of 3 months for cessation of unauthorised residential use and 4 months to clear the site. 16 December 2021</li> <li>Site to be visited after 29 March to check compliance – 23 March 2022</li> <li>Site visited 4 April and caravans appear to be occupied. Further PCNs served on 8 April to obtain clarification. There is a further caravan on site. 11 April 2022</li> <li><b>PCN returned 12 May 2022 with confirmation that caravans 1 and 3 still occupied. Additional caravan not occupied.</b></li> <li><b>Recommendation that LPA commence prosecution for failure to comply with Enforcement Notice.</b></li> </ul>
8 November 2019	Blackgate Farm, High Mill Road, Cobholm	Unauthorised operational development – surfacing of site, installation of services and standing and use of 5 static caravan units for residential use for purposes of a private travellers' site.	<ul style="list-style-type: none"> <li>Delegated Authority to Head of Planning to serve an Enforcement Notice, following liaison with the landowner at Blackgate Farm, to explain the situation and action.</li> <li>Correspondence with solicitor on behalf of landowner 20 Nov. 2019.</li> <li>Correspondence with planning agent 3 December 2019.</li> <li>Enforcement Notice served 16 December 2019, taking effect on 27 January 2020 and compliance dates from 27 July 2020.</li> <li>Appeal against Enforcement Notice submitted 26 January 2020 with a request for a Hearing. Awaiting start date for the appeal. 3 July 2020.</li> <li>Appeal start date 17 August 2020.</li> <li>Hearing scheduled 9 February 2021.</li> <li>Hearing cancelled. Rescheduled to 20 July 2021.</li> <li>Hearing completed 20 July and Inspector's decision awaited.</li> </ul>

Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Appeal dismissed with minor variations to Enforcement Notice. Deadline for cessation of caravan use of 12 February 2022 and 12 August 2022 for non-traveller and traveller units respectively, plus 12 October 2022 to clear site of units and hardstanding. 12 Aug 21</li> <li>• Retrospective application submitted on 6 December 2021.</li> <li>• Application turned away. 16 December 2021</li> <li>• Site visited 7 March 2022. Of non-traveller caravans, 2 have been removed off site, and occupancy status unclear of 3 remaining so investigations underway.</li> <li>• Further retrospective application submitted and turned away 17 March 2022</li> <li>• Further information on occupation requested. 11 April 2022</li> <li>• <b>No further information received. 13 May 2022</b></li> </ul>
4 December 2020	Land to east of North End, Thorpe next Haddiscoe	Unauthorised change of use to mixed use of a leisure plot and storage.	<ul style="list-style-type: none"> <li>• Authority given for the service of Enforcement Notices.</li> <li>• Section 330 Notices served 8 December 2020.</li> <li>• Enforcement Notice served 12 January 2021 with compliance date 12 February 2021.</li> <li>• March 2021 - Some clearance commenced. Three-month compliance period.</li> <li>• Site to be checked for progress. April 2021</li> <li>• Progress being monitored. May 2021</li> <li>• Site not cleared by deadline. Operator given a further period. June 2021</li> <li>• Negotiations underway. July 2021</li> <li>• Further clearance, but incomplete. 25 August 2021</li> </ul>



Committee date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Further clearance. Inspection needed. 22 September 2021</li> <li>• Landowner given to end of year to complete clearance. 22 October 2021</li> <li>• Further material removed, but some work required for compliance. Correspondence with landowner. 17 January 2022</li> <li>• File review underway. 7 February 2022</li> <li>• Verbal update and recommendation to be provided at meeting.</li> <li>• Direct action authorised. 1 April 2022.</li> <li>• Discussions with contractors underway. 11 April 2022</li> <li>• <b>Landowner given to 31 May to clear site. Site visit 12 May showed no further works undertaken. 13 May 2022</b></li> </ul>
8 January 2021	Land east of Brograve Mill, Coast Road, Waxham	Unauthorised excavation of scrape	<ul style="list-style-type: none"> <li>• Authority given for the service of Enforcement Notices.</li> <li>• Enforcement Notice served 29 January 2021.</li> <li>• Appeal against Enforcement Notice received 18 February 2021.</li> <li>• Documents submitted and Inspector's decision awaited. September 2021</li> </ul>
13 May 2022	Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter	Unauthorised operation development – erection of workshop and shed	<ul style="list-style-type: none"> <li>• <b>Authority given by Chair and Vice Chair for service of Temporary Stop Notice requiring cessation of construction 13 May 2022</b></li> <li>• <b>Temporary Stop Notice served 13 May 2022.</b></li> </ul>

Author: Cally Smith

Date of report: 13 May 2022

# Planning Committee

27 May 2022

Agenda item number 9

## Consultation responses- May 2022

Report by Planning Policy Officer

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### Summary

This report informs the Committee of the officer's proposed response to planning policy consultations received recently, and invites members' comments and guidance.

### Recommendation

To note the report and endorse the nature of the proposed response.

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## 1. Introduction

- 1.1. Appendix 1 shows selected planning policy consultation documents received by the Authority since the last Planning Committee meeting, together with the officer's proposed response.
- 1.2. The Committee's comments, guidance and endorsement are invited.

Author: Natalie Beal

Date of report: 11 May 2022

Appendix 1 – Planning Policy consultations received

# Appendix 1 – Planning Policy consultations received

## Bungay Town Council

**Document:** Bungay Neighbourhood Plan, REG16 [Bungay neighbourhood area » East Suffolk Council](#)

**Due date:** 06 June 2022

**Status:** Regulation 16

**Proposed level:** Planning Committee endorsed

### Notes

This document is the Bungay Neighbourhood Development Plan for the period 2020 to 2036. Waveney District Council<sup>1</sup> and the Broads Authority designated a Neighbourhood Area for Bungay in March 2016 (Figure 1) to enable Bungay Town Council to prepare a NDP. The Plan has been prepared by the Bungay Neighbourhood Development Plan (BNDP) Steering Group composed of volunteers from the community. The policy proposals presented in the document are derived from the views expressed by the wider community through an extensive consultation process undertaken between December 2016 and January 2018, and further consultations on potential sites to allocate for housing in February 2020

### Proposed response

#### Summary of response

Officers from the Broads Authority and East Suffolk Council have had conversations with the consultants who prepared the Bungay NP. The plan has taken on board most of our comments and the following are fairly minor in detail.

#### Details response

Figure 1 needs to show the Broads to provide adequate context. The map in the Environment Report at Figure 1 is ideal.

Para 49 says that the design guide does not apply to the Broads. That is supported. But it also says that policy H1 does not apply to the Broads. The policy can apply to the Broads as written in our opinion. See comments on H1.

#### H1

- Para 1, 2 and the criteria (a) to (n) can apply to the Broads. Also, last para sentences 1 and 2 of the past para. Last sentence is correct.
- Where you say 'navigation' in e, you might want to think of a different term as that means something quite different in the Broads and as set out in the plan, the water near Bungay is not navigable.

Para 61 needs to refer to the Broads' equivalent standard for M(4)2, for completeness.

Para 64 – the Local Plan for the Broads also covers rural exception sites.

H3 – might be worth saying that First Home Exception Sites are not permitted in the Broads:  
[First Homes - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/first-homes)

Figure 5

- The legend does not match what is on the map.
- Did you also want to show the site allocated in the Waveney LP for context?

Para 87, does not read well: 'A new community facility could provide much **needed facilities centre and other** opportunities to create greater capacity in this area would be supported'.  
Delete the word 'centre'?

Para 144 – 'The Local Plans **contained** open space standards which set out the requirements for new housing development' – 'contain' a better word?

ENV3

- should these areas be mapped? Otherwise it is not clear to what area the policy applies.
- what about the Broads in general, given that the NPPF protects the Broads and its setting?
- what is an acceptable impact on these areas?

ENV5 – uses the term 'natural' – not all SUDs are natural I don't think. Like permeable driveways are not natural.

## Carlton Colville Town Council

**Document:** Carlton Colville Neighbourhood Plan, REG14 [Neighbourhood Plan \(carltoncolvilletowncouncil.gov.uk\)](https://www.carltoncolvilletowncouncil.gov.uk)

**Due date:** 21 May 2022

We have an extension to cover the date of this meeting

**Status:** Regulation 14

**Proposed level:** Planning Committee endorsed

### Notes

Carlton Colville Town Council for the last two and a half years have been working to develop a Neighbourhood Plan. This plan will shape our Parish for the period to 2036. We have worked with the community, independent agencies and Town Planning experts to develop our Vision and Policies. Once our Neighbourhood Plan has been adopted by East Suffolk Council (by way of a referendum with the residents), it will influence planning applications and help shape how Carlton Colville develops. The vision of the Neighbourhood Plan seeks in particular to improve the quality of life and sense of community in the whole of Carlton Colville; to have the right housing to meet needs; to sustain its economy by improving movement; to increase and enhance the opportunity for active lifestyles by providing walk and cycle routes linking all areas; to better utilise the amenities that presently exist; to protect and enhance the existing historic assets; to safely link all developments with each other and with the surrounding natural environment and to have measures in place to minimise impact on the environment.

### Proposed response

#### Summary of response

Generally, the Plan seems to be focussed on the two allocations, which can be confusing at times. There is also the issue of adequate referencing of the Broads Authority and making it clear which Local Plan the plan is talking about. Finally, the Design Guide does not mention the Broads and therefore, like others, cannot apply to the Broads and the Neighbourhood Plan needs to be amended to reflect that.

#### Detailed response

Para 1.2 - East Suffolk Council **and the Broads Authority**

Para 1.3 - East Suffolk Council **and the Broads Authority**

Para 1.5 –needs to refer to the Local Plan for the Broads (2019)

Para 1.6 – the **Waveney (East Suffolk)** Local Plan

Para 1.7 – the **Waveney (East Suffolk)** Local Plan

Figure 1.1 and most other figures – you cannot read the OS copywrite

Para 1.8 – the **Waveney (East Suffolk)** Local Plan

Para 1.8 – when you say ‘the development’ do you mean that particular allocation, or all development?

Para 1.10 – the **Waveney (East Suffolk)** Local Plan x2

Para 1.11 – the **Waveney (East Suffolk)** Local Plan

Figure 1.2 – needs to show the Broads Authority Executive Area

Para 2.6 and table 2.1 – so are these proposed non-designated heritage assets? If so, the table title should say that. Also, what policy in the plan are these related to? Should this be here? Should it be with the policy section?

Para 2.7 – Broads Authority also holds a local list.

Para 2.8: Should the implications of this be made clear? Perhaps add something like, ‘Although this is not a formal designation, it should be noted that this is a site of historic interest to the local community the setting of which should be considered when planning new development’.

Para 2.9 – Figure 2.1 is not above – it is on the next page.

Para 2.12 – the **Waveney (East Suffolk)** Local Plan

Para 2.19 – are these bus services regular? In the peak hour? Maybe give some context.

Page 19 – the previous table was table 2.1.

Page 19 to 23 – is there a map to show these character areas? Is this better as evidence? I am not really too sure what it is actually telling me and what I am meant to do with it.

Para 3.1 – the **Waveney (East Suffolk)** Local Plan

Para 3.1 – you say ‘the local planning authority’ but there are two LPAs of relevance, although in this instance, you are referring to East Suffolk Council I believe, so maybe say East Suffolk Council.

Para 3.2:

- These seem to be more objectives than a vision.
- The last one regards climate change – I don’t think you want to contribute to climate change, rather reduce emissions and adapt and become more resilient to climate change.
- When you say ‘amenities’ I think you mean services and facilities which is a clearer term.
- If you want to continue to use bullet points as the vision (noting my comment above about them looking like objectives) then you may wish to separate out bullet 4 as it talks about heritage and amenities (services and facilities).

- Would it be prudent to mention the Broads as it is a protected landscape?

Para 3.3:

- Would it be prudent to mention the Broads as it is a protected landscape?
- Objective 1: what does 'links visually' actually mean? Do you mean development should not impact negatively on the things listed?
- Objective 2: anything about protecting biodiversity from development?
- Objective 3 – what you say 'the development' do you mean the allocations, or development in general. This is a Plan for the entire parish, so you may want to take care in focussing just on the two allocations.

Para 4.3 – Local Planning **Authorities**

Para 4.5 says 'The housing at the edge' and 'the development' – housing at the edge of what? Which development? Is this only about the allocations? This is a Plan for the entire parish, so you may want to take care in focussing just on the two allocations.

Para 4.6: I wonder if this should be reworded to say, 'The character of new developments should be shaped by their context' (rather than landscape). It could go on to say, 'By this we mean their scale and orientation should be sympathetic to their urban / suburban environment or should be positioned appropriately in their rural setting.'

I think that the importance of providing vistas in new development (where appropriate) and protecting identified views is perhaps a separate issue that should be considered in another paragraph or policy?

Para 4.8 – should the Broads Landscape Character Assessment be referred to here as well?

Para 4.9 – this is supporting text for policy CC1. This supporting text says that 'In all cases there is a requirement for development to achieve a net biodiversity gain.' But policy CC1 only refers to Biodiversity Net Gain at CC1 v.c. which is about extensions of properties. Policy CC5 talks about biodiversity gains. So para 4.9 is slightly misleading as written as that para relates to CC1 – perhaps a cross reference to CC5 is needed here.

Para 4.10 – just an observation, but the first sentence is very long. You may wish to break it up a bit.

Para 4.11 and Policy CC1 v.b. – when you say depth, I think you mean length. To me, depth is how deep you go.

Para 4.17 – the **Waveney (East Suffolk)** Local Plan.

Para 4.25 – please refer to the Broads having intrinsic dark skies.

Colour of policy boxes – you might want to make the simple black and white for accessibility reasons.

Design section and policy CC1 iv and Policy CC7 – Not in our area, and there may be a reason for saying this, or it might be a requirement in the Waveney Local Plan, but as an observation, you keep referring to high levels of activity being in the centre of the development. Did you want the developer to consider how the facilities of the new development can be related to the existing dwellings nearby, so they benefit the wider community? Is there an issue about making this new development look inwards only, rather than being part of the community and wider settlement? So for example, if the open space and facilities were near to the existing dwellings, that could result in residents mixing. You also say earlier in the document that developments in the past have been dropped into Carlton Colville... as I say, it is not in our area and there may be reasons, but this is an observation.

#### Policy CC1

- vi. – and the intrinsically dark skies of the Broads.
- A – seems prudent to refer to not impacting on the Broads or its setting, so the policy is in line with the NPPF.
- A i) Character rather than feel
- A ii) Perhaps ‘taking account of’ rather than ‘being shaped by’?
- B i) Rather than plaster, I would refer to it as render. I think there are other references to it as plaster elsewhere in the document that should also be changed.

Figure 4.16 – are there no other views that you want to protect anywhere else in the Town area?

Figure 5.1 – some text is hard to read.

Para 5.3 – the **Waveney (East Suffolk)** Local Plan

Para 5.4 – the **Waveney (East Suffolk)** Local Plan

Figure 5.3, para 5.9 – key – best to say ‘The Broads Authority Executive Area’ as for planning, we are not a National Park.

Figure 6.1 – suggest this shows the Broads Authority Executive Area.

Above para 6.6 the **Waveney (East Suffolk)** Local Plan allocations

Figure 6.2 – suggest this shows the Broads Authority Executive Area.

Para 6.16 – there is the SFRA for Waveney/The Broads which identified flood risk, as well as the Environment Agency flood maps.

#### Policy CC5

- A does not set a level for Biodiversity Net Gain and also the supporting text does not refer to Biodiversity Net Gain. Biodiversity Net Gain is set to come in as a national requirement in 2023 – what do you anticipate as the timelines for this plan? ‘Made’



before the national requirement comes in? If not, do you need to state the need for BNG or do you make a passing reference? Just a few things to think about.

- A says 'all development' – but what about replacement windows, new sheds, extensions – trying to ask what the threshold is that you wish to apply this requirement to.
- B – there are no instruction here, just saying that something is supported. If you require development to do this, you need to write it as an instruction.

Para 6.17 – as written, this implies that the CPRE work assessed the allocation in terms of impact on dark skies. I think what you are trying to say is that the CPRE work identifies the area of the allocation as having dark skies and that the development could impact the dark skies in the area.

Para 6.18 starts with 'this is also important' – what is? Protecting dark skies and minimising light pollution? You might want to be clearer.

Para 6.18 says 'and should be 10 metres in length either side of the commuting route' – not sure what you mean here – it is not clear.

Page 53 – this section needs to refer to the Broads being an area of intrinsically dark skies and refer to our dark skies evidence that shows how dark the areas of the Broads are.

Policy CC6 – suggest you look at our Dark Skies policy – the issue is about the right light for the task, when it is needed and at the intensity needed – it is about the design. I don't think your policy gets those principles across.

Para 6.19 - the **Waveney (East Suffolk)** Local Plan

Para 6.19 and 6.21 – does the Waveney Local Plan set a standard? There is no standard in the Local Plan for the Broads do you need to address that?

Para 6.19 Also, this section does not refer to the Government announcement of the building regulations changing to require EV charging points.

Para 6.20 – rainwater harvesting is not green energy – should this be in this section?

Para 6.23 – there is a policy in the Local Plan for the Broads that talks about renewable energy that needs to be referenced.

Para 7.2 - the **Waveney (East Suffolk)** Local Plan

Para 7.5 - the **Waveney (East Suffolk)** Local Plan

Para 7.13 - the **Waveney (East Suffolk)** Local Plan

Para 7.14 - the **Waveney (East Suffolk)** Local Plan

Policy CC7 A - the **Waveney (East Suffolk)** Local Plan x2

Para 7.15 - the **Waveney (East Suffolk)** Local Plan

## Policy CC8 - the **Waveney (East Suffolk)** Local Plan

### Design Code and references

The Design Code was completed by AECOM. We have had issues in the past whereby AECOM have failed to fully assess the context of the area and all relevant documents; they have not assessed the Broads and the related documents, which is a big issue considering we are a nationally protected landscape. We raised this issue with them in early August 2021 and they said they would improve their work accordingly.

The Carlton Colville Design Code was completed March 2020. A search for the term 'Broads' does not show any reference to the Broads.

Looking through the Design Guide, it seems it only actually relates to the Bell Farm development. I note above 1.5 on page 6, it says it has wider uses, but that is not obvious as the site is shown throughout.

Given the lack of assessment of the context of the area – namely lack of assessment of the Broads and related Broads Authority documents, the design code cannot apply to the part of Carlton Colville that is the Broads. Please note that this, unfortunately, has been the case for many Neighbourhood Plans, for example Bungay and Lound area.

As such, please make these amendments to the Neighbourhood Plan

- Para 4.2 – The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents.
- Policy CC1 A - The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents.
- Policy CC1 A – amend so the reference to the design code is first, including that it does not apply to the Broads. The rest of the criteria are generic and can be applied to development in the Broads. Suggest this:
- All development proposals, apart from those within the Broads Authority Executive Area, must demonstrate how they have sought to reflect the requirements of the Carlton Colville Design Codes.
- All development should demonstrate high quality design and layout which respects the local character of Carlton Colville. In particular this means:
- Para 6.7, 6.10 - The Design Code should not apply to the Broads as it does not adequately assess the Broads and its documents. But the principles set out in this section are appropriate to development all over the Town area.

# Planning Committee

27 May 2022

Agenda item number 10

## Circular 28/83 Publication by Local Authorities of information about the handling of planning applications Q1 (1 January to 31 March 2022)

Report by Planning Technical Support Officer

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### Summary

This report sets out the development control statistics for the quarter ending 31 March 2022.

### Recommendation

To note the report.

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## 1. Development control statistics

1.1. The development control statistics for the quarter ending are summarised in the tables below.

**Table 1**

Number of applications

Category	Number of applications
Total number of applications determined	56
Number of delegated decisions	52
Numbers granted	51
Number refused	5
Number of Enforcement Notices	0
Consultations received from Neighbouring Authorities	19

**Table 2**

Speed of decision

Speed of decision	Number	Percentage of applications
Under 8 weeks	30	53.6%
8-13 weeks	2	3.6%
13-16 weeks	0	0.0%
16-26 weeks	1	1.8%
26-52 weeks	0	0.0%
Over 52 weeks	0	0.0%
Within agreed extension	20	35.7%
Outside of agreed extension	3	5.3%

- 1.2. Extensions of time were agreed for twenty-three applications. Twenty-one of these were required because further information was awaited, amendments had been made to the scheme or because a re-consultation was underway. The remaining two were at the request of the case officer due to the dates of Planning Committee. Twenty (87%) of the agreed deadlines for extensions of time were achieved.

**Table 3**

National performance indicators: BV 109 The percentage of planning applications determined in line with development control targets to determine planning applications.

National target	Actual
60% of Major applications <sup>1</sup> in 13 weeks (or within agreed extension of time)	100%
65% of Minor applications <sup>2</sup> in 8 weeks (or within agreed extension of time)	92.6%
80% of other applications <sup>3</sup> in 8 weeks (or within agreed extension of time)	89.3%

Author: Thomas Carter

Date of report: 12 May 2022

Appendix 1 – PS1 returns

Appendix 2 – PS2 returns

<sup>1</sup> Majors refers to any application for development where the site area is over 1000m<sup>2</sup>

<sup>2</sup> Minor refers to any application for development where the site area is under 1000m<sup>2</sup> (not including Household/ Listed Buildings/Changes of Use etc.)

<sup>3</sup> Other refers to all other applications types

## Appendix 1 – PS1 returns

Measure	Description	Number of applications
1.1	On hand at beginning of quarter	58
1.2	Received during quarter	50
1.3	Withdrawn, called in or turned away during quarter	3
1.4	On hand at end of quarter	49
2.	Number of planning applications determined during quarter	56
3.	Number of delegated decisions	52
4.	Number of statutory Environmental Statements received with planning applications	0
5.1	Number of deemed permissions granted by the authority under regulation 3 of the Town and Country Planning General Regulations 1992	0
5.2	Number of deemed permissions granted by the authority under regulation 4 of the Town and Country Planning General Regulations 1992	0
6.1	Number of determinations applications received	0
6.2	Number of decisions taken to intervene on determinations applications	0
7.1	Number of enforcement notices issued	0
7.2	Number of stop notices served	0
7.3	Number of temporary stop notices served	1
7.4	Number of planning contravention notices served	0
7.5	Number of breach of conditions notices served	0
7.6	Number of enforcement injunctions granted by High Court or County Court	0
7.7	Number of injunctive applications raised by High Court or County Court	0

## Appendix 2 – PS2 returns

**Table 1**

Major applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Dwellings	1	0	1	0	1	0	0	0	0	0
Offices/ Light Industry	0	0	0	0	0	0	0	0	0	0
Heavy Industry/Storage/Warehousing	0	0	0	0	0	0	0	0	0	0
Retail Distribution and Servicing	0	0	0	0	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Large-Scale Major Developments	0	0	0	0	0	0	0	0	0	0
<b>Total major applications</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Table 2**

Minor applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Dwellings	5	3	2	2	0	0	1	0	0	2
Offices/Light Industry	0	0	0	0	0	0	0	0	0	0
General Industry/Storage/Warehousing	1	1	0	0	0	0	0	0	0	1
Retail Distribution and Servicing	1	1	0	1	0	0	0	0	0	0
Gypsy and Traveller Sites	0	0	0	0	0	0	0	0	0	0
All Other Minor Developments	20	19	1	10	0	0	0	0	0	9
<b>Minor applications total</b>	<b>27</b>	<b>24</b>	<b>3</b>	<b>13</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>12</b>

**Table 3**

Other applications

Application type	Total	Granted	Refused	8 weeks or less	More than 8 and up to 13 weeks	More than 13 and up to 16 weeks	More than 16 and up to 26 weeks	More than 26 and up to 52 weeks	More than 52 weeks	Within agreed extension of time
Minerals	0	0	0	0	0	0	0	0	0	0
Change of Use	3	2	1	1	0	0	0	0	0	1
Householder Developments	19	19	0	14	0	0	0	0	0	5
Advertisements	1	1	0	0	0	0	0	0	0	1
Listed Building Consent to Alter/Extend	5	5	0	2	1	0	0	0	0	1
Listed Building Consent to Demolish	0	0	0	0	0	0	0	0	0	0
Certificates of Lawful Development <sup>4</sup>	2	2	0	2	0	0	0	0	0	0
Notifications <sup>4</sup>	2	2	0	2	0	0	0	0	0	0
<b>Other applications total</b>	<b>32</b>	<b>31</b>	<b>1</b>	<b>21</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>8</b>

<sup>4</sup> Applications for Lawful Development Certificates and Notifications are not counted in the statistics report for planning applications. As a result, these figures are not included in the total row in Table 4.



**Table 4**

Totals by application category

<b>Application type</b>	<b>Total</b>	<b>Granted</b>	<b>Refused</b>	<b>8 weeks or less</b>	<b>More than 8 and up to 13 weeks</b>	<b>More than 13 and up to 16 weeks</b>	<b>More than 16 and up to 26 weeks</b>	<b>More than 26 and up to 52 weeks</b>	<b>More than 52 weeks</b>	<b>Within agreed extension of time</b>
Major applications	1	0	1	0	1	0	0	0	0	0
Minor applications total	27	24	3	13	0	0	1	0	0	12
Other applications total	28	27	1	17	1	0	0	0	0	8
<b>TOTAL</b>	<b>56</b>	<b>51</b>	<b>5</b>	<b>30</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>20</b>
<b>Percentage (%)</b>		<b>91.1</b>	<b>8.9</b>	<b>53.6</b>	<b>3.6</b>	<b>0</b>	<b>1.8</b>	<b>0</b>	<b>0</b>	<b>35.7</b>

# Planning Committee

27 May 2022

Agenda item number 11

## Customer satisfaction survey 2022

Report by Planning Technical Support Officer

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### Summary

The Broads Authority's Planning Department has recently undertaken its annual Customer Satisfaction Survey, which again shows a high level of satisfaction with the planning service. This report provides details.

### Recommendation

To note the report

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## 1. Introduction

- 1.1. As part of its commitment to best practice in delivery of the planning service, the Broads Authority as Local Planning Authority (LPA) engages regularly with its service users to seek their views on the quality of the service. This occurs annually, although most National Parks undertake this on a two-yearly cycle.
- 1.2. This report sets out the results of the engagement in 2022.

## 2. Customer Satisfaction Survey

- 2.1. The customer satisfaction survey was undertaken by sending a questionnaire to all applicants and agents who had received a decision on a planning application during the period 1 January to 31 March 2022. A total of 57 survey emails were sent out. This is the standard methodology used by all of the National Parks over a given period of time. The contact details used were those submitted on the relevant application form.
- 2.2. As in previous years, the questionnaire asked the recipients to respond and rate the service in respect of the following areas:
  1. Advice prior to, and during, the application process
  2. Communication on the progress of the application
  3. Speed of response to queries

4. Clarity of the reasons for the decision
  5. Being treated fairly and being listened to
  6. The overall processing of the application
- 2.3. The survey also gave the opportunity for users to rate the service on elements it did well and those which could be improved, as well as giving a general comments section. A copy of the questionnaire is attached at Appendix 1.

### 3. Responses

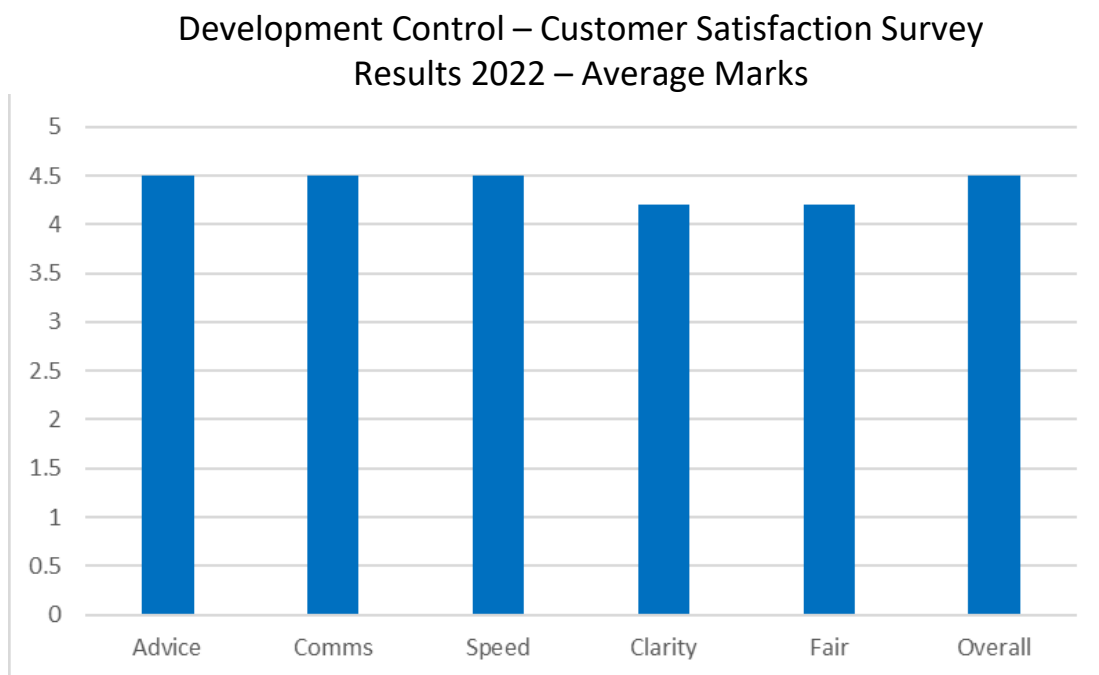
- 3.1. Eleven responses were received, representing a response rate of 19.3%. This is a decrease of 5.2% compared to 2021 (24.5%). The response rate is still considered encouraging, and the online survey improves the number of responses received. This is presumably as it is more convenient to complete an online form as opposed to complete a paper copy which then needs posting back to the Authority.
- 3.2. In considering the results from the questionnaire and assessing the level of satisfaction, the scoring parameters used are based on information published by Info Quest, a company that specialises in customer satisfaction surveys and analysis. These note that a goal of 100% satisfaction is commendable, but probably unattainable as people tend to be inherently critical and it is practically impossible to keep everyone satisfied at all times. They therefore consider that a customer awarding a score of 4 or above (out of 5) is a satisfied customer. They also note that, on average, any measurement that shows a satisfaction level equal to or greater than 75% is considered exceptional. It should be noted that applicants for all decisions – approvals and refusals were asked to take part in the survey. The scoring parameters are:

<b>% Satisfaction</b>	<b>Qualitative Assessment</b>	<b>Comment</b>
75%+	Exceptional	Little need or room for improvement
60% - 75%	Very Good	You are doing a lot of things right
45% - 60%	Good	The level of most successful companies
30% - 45%	Average	Bottom line impact is readily available
15% - 30%	Problem	Remedial actions required
0% - 15%	Serious Problem	Urgent remedial actions required

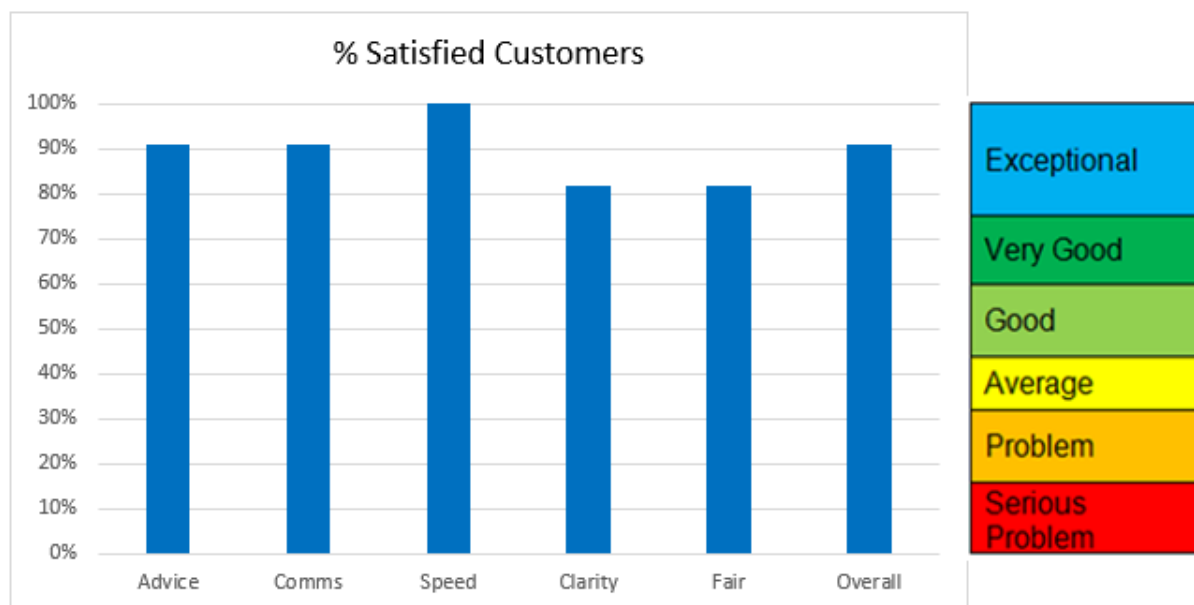
The questionnaire asked customers to rate the service on a scale of 1 – 5, where 5 was the highest score. The answers from respondents are shown below:

Area	5	4	3	2	1	No Answer
Advice	6	4	1	0	0	0
Communications	6	4	1	0	0	0
Speed of decision	5	6	0	0	0	0
Clarity of decision	6	3	1	0	1	0
Treated fairly	6	3	0	2	0	0
Overall	6	4	1	0	0	0

3.3. Average scores for the questions are shown in the following graph:



3.4. It is noted that 82% of respondents scored the service at either 4 or 5 out of 5 on all aspects, which is a 3% decrease on 2021. The overall results are represented under the satisfaction parameters detailed at 3.2 as follows:



3.5. The survey also provided an opportunity for customers to comment on what the planning team did well, and where improvements could be made. These comments are summarised, respectively, below.

3.6. The things that were done well were identified as:

- Speed and ease of communication with officers
- Useful pre-application service
- Quality of advice and information given
- Beneficial discussions regarding specific elements of application

3.7. The areas for improvement were identified as:

- Committee decision went against officer advice and application was refused
- Time required for consulting other departments, consultees etc.
- Planning Portal delays/issues

3.8. Five of the eleven respondents had no suggestions for improvements.

3.9. The areas for improvement have been noted for consideration, although it should be recognised that the Planning Portal is beyond the control of the Planning department and alternative means for application submission are available.

3.10. The final question on the form sought suggestions on what other improvements could be made more generally, with the question designed to pick up examples of best practice from elsewhere. Few of the respondents submitted answers for this section and, as with previous years, the majority of responses to this question echoed the comments made in the areas for improvement section.

- 3.11. The majority of the comments are likely to be in response to a particular experience or application type. Although this makes the feedback less easy to interpret, it is considered that these comments are mainly ideas of how to further improve the service offered, rather than criticisms of the Planning Department's performance.
- 3.12. The results of the survey are considered positive, although some caution should be exercised in interpreting them given the low numbers on which they are based. However, customers who have a bad experience are statistically between two and three times more likely to give feedback compared to those who are happy with their experience. Therefore, the low response rate may demonstrate that on the whole customers are broadly satisfied with the service received.

Author: Thomas Carter

Date of report: 12 May 2022

Appendix 1 – Questionnaire for customers

# Appendix 1 – Questionnaire for customers

## Customer Satisfaction Survey

### **Your comments on the Broads Authority's Planning Service**

The Broads Authority is doing a brief survey of people who have submitted planning applications to us and is asking them for their feedback on the quality of service they received. The comments that we receive are really important to help us understand what we do well and what we need to improve. We know these sorts of questionnaires can be time consuming to complete so we have kept it really simple, but if you want to add further details (or even email or telephone with further comments) these would be very welcome.

Thanking you in anticipation of your feedback.

Yours sincerely

Cally Smith

Head of Planning Broads Authority

T: 01603 756029

E: [cally.smith@broads-authority.gov.uk](mailto:cally.smith@broads-authority.gov.uk)

Please tell us about your overall satisfaction level around:

*5 = very good .... 4 = good .... 3 = okay .... 2 = poor.... 1 = very poor*

- 1 The advice and help you were given in submitting your application
- 2 How well you were kept informed of progress on your application
- 3 How promptly we dealt with your queries
- 4 How clearly you understood the reasons for the decision
- 5 Whether you felt you were treated fairly and your views were listened to
- 6 The overall processing of your planning application

Please tell us about:

7 Things we did well

.....

.....

.....

8 Things we could improve

.....

.....

.....

9 Any other things we could do to improve the service

.....

.....

.....

Thank you for your time in completing this.



# Planning Committee

27 May 2022

Agenda item number 12

## Decisions on Appeals by the Secretary of State between April 2021 and March 2022

Report by Senior Planning Officer

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### Summary

This report sets out the decisions on appeals made by the Secretary of State between 1 April 2021 and 31 March 2022. It also provides the latest appeals in the process lodged since January 2021 for which decisions have not yet been received.

Three of the four appeal decisions by the Secretary of State, which were against refusal of planning permission, have been dismissed and one has been allowed. All of these had been delegated decisions.

One appeal decision by the Secretary of State was against an Enforcement Notice, which was a Committee decision, and this was allowed in part with the Enforcement Notice upheld with variations.

There are seven appeals upon which decisions are awaited. All of these have been submitted in 2021 and 2022.

### Recommendation

To note the report.

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Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/C/20/3245609</b> BA/2017/0024/UNAUP2	Mr L Rooney	17 August 2020	Blackgate Farm, High Mill Road, Cobholm, Great Yarmouth	Appeal against Enforcement Notice	Committee decision 8 November 2019 Hearing date 20 July 2021 <b>Appeal allowed in part on grounds (c) &amp; (g) and the enforcement notice is upheld with corrections and variations.</b> <b>12 August 2021</b>
<b>APP/E9505/W/19/3240574</b> BA/2018/0012/CU	Mr Gordon Hall	26 May 2020	Barn Adjacent Barn Mead Cottages Church Loke Coltishall, Norfolk	Refusal to grant planning permission for change of Use from B8 to residential dwelling and self-contained annexe.	Delegated decision 4 June 2018.  <b>Appeal dismissed</b> <b>6 May 2021</b>
<b>APP/E9505/D/20/3258679</b> BA/2020/0105/HOUSEH	Mr N Hannant	9 November 2020	Gunton Lodge Broadview Road Lowestoft Suffolk, NR32 3PL	Refusal to grant planning permission for a second-floor balcony	Delegated decision on 25 August 2020  <b>Appeal dismissed</b> <b>27 May 2021</b>

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/Z/21/3276574</b> BA/2021/0118/ADV	Morrisons Supermarket		Morrisons George Westwood Way, Beccles NR34 9EJ	Refusal to grant express consent for a solar powered totem	Delegated decision on 29 March 2021  <b>Appeal dismissed</b> <b>26 January 2022</b>
<b>APP/E9505/W/21/3276150</b> BA/2020/0453/FUL	Mr & Mrs Thompson		Ye Olde Saddlery The Street Neatishead NR12 8AD	Refusal to granted Planning Permission for change of use of outbuilding to cafe (Class E(b)) & pizza takeaway (Sui Generis)	Delegated decision on 8 February 2021  <b>Appeal allowed</b> <b>31 March 2022</b>
<b>APP/E9505/C/21/3269284</b> BA/2017/0035/UNAUP3	Mr Henry Harvey	Start date 26 April 2021	Land East Of Brograve Mill Coast Road Waxham	Appeal against Enforcement Notice	Committee Decision 8 January 2021  LPA Statement submitted 7 June 2021  <b>Appeal outstanding</b>

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/W/22/3291736</b> BA/2021/0244/FUL	Messrs T.A. Graham	Awaiting start date	The Shrublands, Grays Road, Burgh St Peter	Appeal against refusal of planning permission: Proposed retention of timber tepee structure and use as glamping accommodation as farm diversification scheme.	Delegated decision 27 August 2021  <b>Appeal outstanding</b>
<b>APP/E9505/W/22/3291822</b> BA/2021/0253/COND	Mr P Young	Awaiting start date	Marshmans Cottage Main Road A1064 Billockby, Fleggburgh	Appeal against refusal of planning permission: Revised width of building and change use of loft space, variation of conditions 2 and 7 of permission BA/2020/0083/HO USEH	Delegated decision 7 December 2021  <b>Appeal outstanding</b>

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/W/22/3292073</b> BA/2021/0263/OUT	Mr M Gladwell & Mr R Remblance	Awaiting start date	Land Adjacent To And To The North West Of The Cottage Low Road, Shipmeadow, Suffolk	Appeal against refusal of planning permission: Outline Planning Application for 1no. dwelling including means of access.	Delegated decision 12 January 2022  <b>Appeal outstanding</b>
<b>APP/E9505/W/22/3292450</b> BA/2021/0239/FUL	Mr Gavin Church	Awaiting start date.	Priory Cottage St. Marys Road, Aldeby	Appeal against the refusal of planning permission: Use of land for siting 4 No. Bell Tents and 4 No. wash sheds with compostable toilets (retrospective)	Delegated decision 9 August 2021  <b>Appeal outstanding</b>

Application reference number	Applicant	Start date of appeal	Location	Nature of appeal/ description of development	Decision and dates
<b>APP/E9505/W/22/3294205</b> BA/2021/0211/FUL	Mr Alan Gepp	Awaiting start date	Broadgate, Horsefen Road, Ludham	Appeal against the refusal of planning permission: Change of use to dwelling and retail bakery (sui generis mixed use) including the erection of a single storey extension.	Committee decision 8 February 2022  <b>Appeal outstanding</b>
<b>APP/E9505/W/22/3295628</b> BA/2022/0022/FUL	Mr Matthew Hales	Awaiting start date.	Clean & Coat Ltd, 54B Yarmouth Road Thorpe St Andrew	Appeal against Condition 4, imposed on planning permission BA/2022/0022/FUL	Delegated decision 24 March 2022  <b>Appeal outstanding</b>

Author: Cheryl Peel

Date of report: 12 May 2022

Background papers: BA appeal and application files

# Planning Committee

29 April 2022

Agenda item number 16

## Decisions made by officers under delegated powers

Report by Planning Technical Support Officer

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### Summary

This report sets out the delegated decisions made by officers on planning applications from 21 March 2022 to 15 April 2022 and Tree Preservation Orders confirmed within this period.

### Recommendation

To note the report.

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Parish	Application	Site	Applicant	Proposal	Decision
Barton Turf And Irstead Parish Council	BA/2022/0030/HOUSEH	Shoals Cottage The Shoal Irstead NR12 8XS	Mr & Mrs B Parks	House extension	Approve Subject to Conditions
Beccles Town Council	BA/2022/0014/HOUSEH	The Moorings Northgate Beccles NR34 9AS	Mr Ian Chater	Attached timber cart lodge	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Beccles Town Council	BA/2021/0295/FUL	Morrisons George Westwood Way Beccles Suffolk NR34 9EJ	Trilogy (Leamington Spa) Ltd	Coffee Shop with Drive Thru Facility	Refuse
Belaugh Parish Meeting	BA/2022/0065/HOUSEH	8 Hill Piece Belaugh Norwich Norfolk NR12 8UZ	Mr & Mrs Johnson	Replacement Rear Extension	Approve Subject to Conditions
Bungay Town Council	BA/2021/0495/HOUSEH	40 Bridge Street Bungay Suffolk NR35 1HD	Ms Charlott Brown	Single storey rear extension	Approve Subject to Conditions
Bungay Town Council	BA/2021/0499/LBC	40 Bridge Street Bungay Suffolk NR35 1HD	Ms Charlott Brown	Single storey rear extension	Approve Subject to Conditions
Burgh Castle Parish Council	BA/2022/0004/FUL	Crows Farm High Road Burgh Castle NR31 9QN	Mrs Greiner	Conversion of existing building to residential dwelling for farm worker accommodation	Refuse
Dilham Parish Council	BA/2022/0090/NONMAT	Marshfield 1 The Street Dilham Norfolk NR28 9PS	Mr Chris Elmes	Change the garage opening infill element from facing brickwork to render panel to match existing render panel, non-material amendment to permission BA/2021/0323/HOUSEH	Approve



Parish	Application	Site	Applicant	Proposal	Decision
Ditchingham Parish Council	BA/2022/0049/APPCON	8 Alma Cottages Pirnow Street Ditchingham Norfolk NR35 2RT	Mr & Mrs Paul Forder	Details of Conditions 3: external materials, and 4: access of permission BA/2021/0195/FUL	Approve
Filby Parish Council	BA/2022/0087/HOUSEH	The Hollies Thrigby Road Filby Norfolk NR29 3HJ	Mrs Jessica Coker	Proposed ground floor extension with new first floor bedroom extension. New dormer window to front elevation	Approve Subject to Conditions
Geldeston Parish Council	BA/2022/0061/HOUSEH	The Hollies 26 Station Road Geldeston Norfolk NR34 0HS	Mr Mark Turner	First floor extension over existing single-storey element and further two-storey extension to the side	Approve Subject to Conditions
Mettingham Parish Council	BA/2022/0036/FUL	Green Valley Farm Low Road Mettingham NR35 1TP	Mr Raven	Erection of lean-to off existing store	Approve Subject to Conditions
Norton Subcourse Parish Council	BA/2021/0160/FUL	The Farmery Low Road Norton Subcourse Norfolk NR14 6SD	Ms & Mr M & D Rose & Coulson	Conversion of barn and outbuildings to annex accommodation.	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Norwich	BA/2022/0080/APPCON	District Heating Boiler House Barnards Yard Norwich Norfolk	Mr K Cox	Details of Condition 3: Archaeological scheme of investigation of permission BA/2021/0343/FUL	Approve
Oulton Broad Parish Council	BA/2022/0078/COND	Broadview Caravan Park Marsh Road Lowestoft Suffolk NR33 9JY	Mr Paul Spriggins	Allow year-round holiday use, variation of condition 3 and removal of condition 4 of permission BA/2017/0185/FUL	Approve Subject to Conditions
Oulton Broad Parish Council	BA/2022/0070/ADV	The Commodore 15 Commodore Road Lowestoft Suffolk NR32 3NE	Mr Jack Robson	Replacement signs	Approve Subject to Conditions
Reedham Parish Council	BA/2022/0048/FUL	Nelsons Cottage 38B Riverside Reedham Norwich NR13 3TE	c/o Agent	Retrospective Change of Use to domestic curtilage and erection of a close boarded timber 6ft boundary fence.	Approve Subject to Conditions
Somerton Parish Council	BA/2022/0024/HOUSEH	Home Farm House Horsey Road West Somerton Somerton NR29 4DW	Mr Roy Durrant	Replacement septic tank	Approve Subject to Conditions

Parish	Application	Site	Applicant	Proposal	Decision
Thorpe St Andrew Town Council	BA/2021/0505/LBC	The River Garden 36 Yarmouth Road Thorpe St Andrew Norwich NR7 0EQ	Mr Andy Beetham	Erection of illuminated and non-illuminated signs to the exterior of the building	Approve Subject to Conditions
Thorpe St Andrew Town Council	BA/2022/0022/FUL	Clean & Coat Ltd 54B Yarmouth Road Thorpe St Andrew Norwich NR7 0HE	Mr Matthew Hales	Retention of buildings, canopy and hardstanding for use in association with car wash and conservatory sales and use of buildings for offices available to rent (10 desks).	Approve Subject to Conditions
Thorpe St Andrew Town Council	BA/2022/0074/APPCON	39 Thorpe Hall Close Thorpe St Andrew Norwich Norfolk NR7 0TH	Mr Shah	Details of Conditions 4: cycle parking , and 5: enclosed bin store of permission BA/2021/0255/FUL	Approve
Thorpe St Andrew Town Council	BA/2021/0507/ADV	The River Garden 36 Yarmouth Road Thorpe St Andrew Norwich NR7 0EQ	Mr Andy Beetham	Erection of illuminated and non-illuminated signs to the exterior of the building.	Approve Subject to Conditions

Author: Tom Carter

Date of report: 18 May 2022