

**Planning Committee**

**AGENDA**

**Friday 5 January 2018**

**10.00am**

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|---|--------|
| 1. <b>To receive apologies for absence and introductions</b>  |        |
| 2. <b>To receive declarations of interest</b>   |        |
| 3. <b>To receive and confirm the minutes of the previous meeting held on 8 December 2017 (herewith)</b> | 3 – 13 |
| 4. <b>Points of information arising from the minutes</b>  |        |
| 5. <b>To note whether any items have been proposed as matters of urgent business</b>                    |        |

**MATTERS FOR DECISION**

6. **Chairman's Announcements and Introduction to Public Speaking**  
Please note that public speaking is in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wish to speak are requested to come up to the public speaking desk at the beginning of the presentation of the relevant application
7. **Request to defer applications included in this agenda and/or to vary the order of the Agenda**  
To consider any requests from ward members, officers or applicants to defer an application included in this agenda, or to vary the order in which applications are considered to save unnecessary waiting by members of the public attending
8. **To consider applications for planning permission including matters for consideration of enforcement of planning control:**
- |  |         |
|--|---------|
| (1) BA/2017/0268/FUL Wayford Marina, Wayford Road, Wayford Bridge, Stalham       | 14 – 29 |
| (2) BA/2017/0389/FUL and BA/2017/0390/LBC Common Farm, Silver Street, Fleggburgh | 30 – 34 |

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9. <b>Enforcement of planning control – non compliance with condition: Barnes Brinkcraft, Riverside Estate, Hoveton</b> Report by Head of Planning (herewith)	35 – 43
10. <b>Enforcement Update</b> Report by Head of Planning(herewith)	44 – 46
11. <b>Consultation Documents Update and Proposed Responses</b> (Report by Planning Policy Officer (herewith)) <ul style="list-style-type: none"> <li>• <i>Wroxham Neighbourhood Plan Sustainability Appraisal Scoping Report</i></li> </ul>	47 – 50

#### MATTERS FOR INFORMATION

12. <b>Appeals to the Secretary of State Update</b> Report by Administrative Officer (herewith)	51 – 52
13. <b>Decisions made by Officers under Delegated Powers</b> Report by Head of Planning (herewith)	53 – 55
14. <b>To note the date of the next meeting – Friday 2 February 2018 at 10.00am at Yare House, 62-64 Thorpe Road,</b>	

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

Minutes of the meeting held on 8 December 2017

Present:

Sir Peter Dixon – in the Chair

Prof J A Burgess  
Mr W A Dickson  
Mr H Thirtle

Mr V Thomson  
Mr J Timewell

In Attendance:

Ms N Beal – Planning Policy Officer (Minutes 5/10 – 5/14)  
Mrs S A Beckett – Administrative Officer (Governance)  
Mr S Bell – for Solicitor  
Ms M Hammond – Planning Officer (Minute 5/8)  
Mr N Catherall – Planning officer (Minute 5/8)  
Ms C Smith – Head of Planning  
Ms M-P Tighe – Director of Strategy and Sustainable Communities

**5/1 Apologies for Absence and Welcome**

Apologies were received from Mr M Barnard, Ms G Harris, Mr P Rice and Mrs M Vigo di Gallidoro

**5/2 Declarations of Interest**

Members indicated they had no further declarations of interest to declare other than those already registered. The Chairman declared an interest on behalf of all Members in connection with BA/2017/0401/FUL Waveney Inn and River Centre, Staithe Road, Burgh St Peter and BA/2017/0391/FUL as set out in Appendix 1 to these minutes.

**5/3 Minutes: 10 November 2017**

The minutes of the meeting held on 10 November 2017 were agreed as a correct record and signed by the Chairman.

**5/4 Points of Information Arising from the Minutes**

**Minute 4/14 Annual Monitoring Report – Water Quality**

Members thanked the officers for the update and clarification with regard to the maps on the Water Quality and Ecological status especially in relation to coastal waters. It was really pleasing to note that there was now a comprehensive description of the issue.

No further points of information were reported.

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

No items of urgent business had been proposed.

**5/6 Chairman's Announcements and Introduction to Public Speaking**

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

*Mr Knight indicated that he intended to record proceedings.*

The Chairman gave notice that the Authority would be recording the meeting. The copyright remained with the Authority and the recording was a means of increasing transparency and openness as well as to help with the accuracy of the minutes. The minutes would remain as the matter of record. If a member of the public wished to have access to the recording they should contact the Monitoring Officer

**(2) Public Speaking**

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

**5/7 Requests to Defer Applications and /or Vary the Order of the Agenda**

The Chairman commented that he did not intend to vary the order of the agenda or defer consideration of the applications.

**5/8 Applications for Planning Permission**

The Committee considered the following applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached the decisions as set out below. Acting under its delegated powers the Committee authorised the immediate implementation of the decisions.

The following minutes relate to further matters of information, or detailed matters of policy not already covered in the officers' reports, and which were given additional attention.

- (1) BA/2017/0401/FUL Waveney Inn and River Centre, Staithe Road, Burgh St Peter** Removal of quay heading, set back by between 2m & 5m and install new quay heading and floating pontoon.  
Applicant: Mr James Knight

The Planning Officer explained that the application was before members as the applicant was a member of the Navigation Committee. It was noted that the Solicitor had confirmed that he considered that the

matter had been dealt with in accordance with normal processes and procedures

The Planning Officer provided a presentation and assessment on the proposals from Waveney Inn and River Centre for the removal of quay heading, some of which was in a poor state of repair, installation of new quay heading and a floating pontoon. The proposals involved some set back and re-alignment of some of the quay heading as well as repositioning an existing pontoon. Excavated material from the works would be spread on the grassed areas along the river frontage. There would be an increase in the size of the marinas for moorings although overall no additional moorings would be created; the proposals would allow larger boats to moor in the marinas and better access to existing moorings. The Planning Officer commented that the main effect of the proposals would be the visual impact of the alterations and the appropriateness of the use of recycled plastic piling and the effect on trees. As plastic piling was a relatively new material, its long term use and performance in the Broads was not yet known, although it did have some sustainability benefits and it was not known to have any adverse environmental effects. Photographic examples of the use of such material in other parts of the Broads were shown and an actual sample of the material was provided. The manufacturers had indicated that the material could be produced in a variety of colours and Officers had advocated a darker grey to mitigate its visual effect. However, the applicant had indicated that the colour of the sample provided was less costly. Officers considered that the proposed colour would not be unacceptable.

Since the report had been written, further comments had been received from the NSBA indicating that they had no objections and were fully supportive of the proposal which represented an appropriate maintenance solution. They considered that it would be inappropriate to place onerous conditions on any approval.

The Planning Officer reported that the applicant had now also submitted tree protection measures, consequently the proposed condition requiring this was unnecessary although a condition requiring compliance with the approved plans and replacement of any trees that die within 5 years should instead be used. On balance the Planning Officer concluded that the proposal was acceptable, there should be no detrimental impact on adjacent trees and therefore approval was recommended subject to conditions as outlined in the report and amended accordingly.

Members considered that it would be beneficial to further investigate the use of recycled plastic generally and to monitor its long term performance and appearance in the Broads.

The Chairman commented that it appeared to be inappropriate for the NSBA to comment on the merits or otherwise of planning conditions

when their comments were required on the navigation issues and requested that officers advise them of their remit.

The Chairman put the officer's recommendation to the vote. It was

RESOLVED unanimously

that the application be approved subject to conditions as outlined within the report subject to the amendment to (iii) to require compliance with the submitted protected measures. It is considered that the proposed development is acceptable in accordance with Policies DP2, DP4, DP3 and DP16 of the adopted Development Management Policies (2011), Policy CS1 of the adopted Core Strategy (2007) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

(2) **BA/2017/0391/FUL Deerfoot, Horning**

Variation of condition 2, approved plans or permission of BA/2017/0010/HOUSEH  
Applicant: Mr Len Funnell

Members noted that the application was only before members as the applicant was related to a member of the Navigation Committee, otherwise it would have been dealt with under delegated powers. The Authority's Solicitor had confirmed that he considered that the matter had been dealt with in accordance with normal processes and procedures. Members agreed that they did not need a presentation on the proposal as it was clear from the papers.

Members noted that the application, which proposed to vary condition 2 of the original permission granted in 2017 (BA/2017/0010/HOUSE) to provide a garage within the existing attached wet boatshed on the southern side of the dwelling rather than within the new extension, was straightforward and conformed to policy. Members therefore concurred with the officer's assessment that the proposal was acceptable as it would not have an adverse impact in terms of flood risk or amenity.

The Chairman put the officer's recommendation to the vote and it was

RESOLVED unanimously

That the application be approved subject to conditions as outlined within the report as it is considered to be in accordance with Policies DP4, DP5 and DP28 of the adopted Development Management Policies DPD (2011) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

(3) **BA/2017/0340/HOUSEH 12 Bureside Estate, Crabbetts Marsh, Horning** Boathouse, quayheading and boardwalk

Applicant: Mr Martin Dibben

The Chairman referred to the correspondence received from the neighbouring objector which had been circulated to all members. It had been concluded that the non-availability of objectors to the scheme was not sufficient grounds for deferral and all the objections were clearly detailed for members to consider. In addition neither, the applicant nor his agent would be present so there would be no issue of inequity. It would be up to members to decide whether or not a site visit would be appropriate.

The Planning Officer provided a presentation and assessment of the application to erect a boathouse and associated works in the curtilage of an existing dwelling, for use incidental to the enjoyment of that dwelling. The proposed siting of the boathouse was on an open plot which had been, until recently, in separate ownership, but was now part of the curtilage of No 12 Bureside Estate. It was noted that there had been a considerable number of representations received objecting to the principle of the proposal and some misinterpretation about which policies applied, details of which were explained.

The Planning Officer gave particular attention to the main issues in assessing the application relating to design and impacts on the character of the area, amenity, geodiversity and biodiversity, landscaping and navigation. She was particular in providing the location of all the adjacent properties. She also explained that the scale of the boathouse had been amended and reduced since the plans had originally been submitted. The Planning Officer concluded that the proposal was acceptable in principle and its siting, scale, form, design and material were appropriate to the character of the area and would not result in over-intensive development or suburbanisation. It was acknowledged that the scheme would impact on views of the site and across it from the river, neighbouring properties and private path, however, it was not considered that these impacts would be unacceptable or contrary to Policy DP28. Subject to conditions, the Planning Officer recommended approval.

Members sought clarification on the siting of the boathouse in relation to the neighbouring properties and acknowledged that although not a material consideration there would be some loss of view from the property opposite. Members were assured that the boatshed would not be capable of conversion to a dwelling without substantial alteration and therefore planning permission would be required. The possibility of adding a lattice door to the roller shutter doors had been discussed with the applicant but he had declined to agree to this. Given the character of the area, the proposed use of roller shutter doors was not considered unacceptable.

In conclusion, members considered that in terms of landscape along this stretch of the river, an open space was almost an anomaly and the

introduction of a boathouse was a logical extension for the character of the area. It was considered that the proposal was modest and unobtrusive. The concerns of the local residents were appreciated, but members were of the view that it was difficult to justify a case for refusal. They welcomed the proposed landscaping scheme.

The Chairman put the officer's recommendation to the vote and it was  
RESOLVED unanimously

that the application be approved subject to conditions as outlined in the report. The proposal is considered to be in accordance with Policy CS1 of the adopted Core Strategy (2007), Policies DP1, DP2, DP4, DP13 and DP28 of the adopted Development Management Policies DPD (2011), Policy HOR4 of the adopted Site Specific Policies Local Plan (2014) and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

(4)& (5) **BA/2017/0404/FUL and BA/2017/0405/FUL Carlton Marshes Nature Reserve, Carlton Colville:**

**BA/2017/0404/FUL** Habitat creation within two blocks of arable marsh  
**BA/2017/0405/FUL** Erection of new visitor centre and conversion of existing education centre to single dwelling  
Applicant: Suffolk Wildlife Trust

The Planning Officer explained that the proposals were part of a major project for the Carlton Marshes Nature Reserve to provide new "gateway" facilities in order for the site to become the Suffolk Wildlife Trust's flagship as the "Suffolk Broads National Nature Reserve". The applications before members were on adjoining land, complementary and involved habitat creation and a new visitor centre as well as the conversion of the existing visitor centre to residential use. It was noted that there were adjacent buildings in residential use. He provided a presentation of each of the proposals for habitat creation on 76 hectares of Petos Marsh and 68 hectares on Share Marsh. With regards to the visitor centre this would be set in an area formerly used for agriculture, it would also involve the creation of a more formalised car park than the existing, which would be reduced. A derelict farmhouse and 3 grain silos would be demolished as part of the application. Given the rural and isolated location, nature and scale of the works proposed, the Planning Officer recommended a site visit.

Although members had viewed the site on their Annual Site Visit in July, and as a principle welcomed the habitat creation elements, they considered that given the nature of the applications and their significance, the Committee would be derelict in its duty if it did not have a detailed visit to the site. They also considered that it would be essential to have a full documentation of the scheme and the relevant issues to be considered prior to the actual visit.

RESOLVED unanimously

that in view of the rural and isolated location and nature and scale of the works proposed, the Committee undertake a site inspection, prior to determination of the application. The site visit to take place on the scheduled day of 19 January 2018, subject to the availability of the local members on the Authority and a majority being able to attend.

- (6) **BA/2017/0392/FUL Land North Of Tonnage Bridge Cottage, Oak Road, Dilham, Norfolk, NR28 9PW** 10 glamping pods and carpark.  
Applicant: Mr L Paterson

The Planning Officer explained that the application was before the Committee at the request of the local District member. The aim of the proposal was to provide 10 cedar clad glamping pods as a form of farm diversification to offset the loss of CAP in 2019. The proposed site would be 1 hectare of a 3,800 hectare farm, sited along the North Walsham and Dilham Canal, north of Tonnage Bridge. Given the nature of the application in a sensitive landscape, a site visit was recommended.

Members were in favour of the officer's recommendation and

RESOLVED unanimously

taking into account the rural and isolated location, Members undertake a site inspection in order to assess the impact on the surrounding landscape and residential amenity prior to determination.

Members agreed that the site visits to both applications should take place on the same day - 19 January 2018 (subject to members availability) and that a mini bus would be appropriate, leaving from Yare House.

#### **5/9 Enforcement Update**

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

RESOLVED

that the report be noted.

#### **5/10 Duty to Cooperate Agreement: Between the Broads Authority and Great Yarmouth Borough Council In relation to housing need and delivery**

The Committee received a report introducing a draft agreement with Great Yarmouth Borough Council as part of the Duty to Cooperate. The Agreement would continue and formalise the current approach of the Borough Council

meeting the entire housing need of that part of Great Yarmouth Borough which sits within the Broads Authority area

RESOLVED

that the proposed Agreement with Great Yarmouth Borough be endorsed and that the Chair of Planning Committee sign the agreement on behalf of the Broads Authority.

**5/11 Broads Local Plan- Updated Sequential Test**

The Committee received a report providing the updated Sequential Test as required in the NPPF to steer new development to areas with the lowest probability of flooding. It was noted that the updates in the Sequential Test reflected the new Strategic Flood Risk Assessment Report and flood zone layers. The amendments were set out in red in the document and had been shared with and supported by the Environment Agency.

RESOLVED

that the updated Sequential Test and its amendments be noted in its role in supporting the Local Plan.

**5/12 Central Norfolk Strategic Housing Market Assessment – self build addendum**

The Committee received a report providing the update on the Central Norfolk Strategic Housing Market Assessment (SHMA) (2017) – self build addendum, as duty required. This would be uploaded to the Future Planning Pages of the Broads Authority's website.

RESOLVED

that the report be noted .

**5/13 Planning in Health: An Engagement Protocol between Local Planning Authorities, Public Health and Health Sector Organisations in Norfolk**

The Committee received a report setting out the protocol for Planning in Health between Local Planning Authorities, Public Health and Health Sector Organisations in Norfolk. This was part of the Government's clear view that the role of health and well-being was taken into account in local and neighbourhood plans and planning decision making. It was hoped that this would be part of the Norfolk Strategic Framework. The role of the Authority in promoting health was addressed in the Local Plan and the Authority was consulting with the Health Authority as appropriate.

Members were very supportive of the protocol noting that the government had changed the emphasis from ten years ago from sustainability to planning for

health, recognising that the planning legislation had originally developed in relation to health.

RESOLVED

that the study and protocol on Planning in Health are approved and the actions taken by the Authority in relation to the main commitments arising from the Protocol are noted.

**5/14 Consultations Documents Update and Proposed Responses: Suffolk County Council: Combined Mineral and Waste Local Plan.**

The Committee received a report setting out the proposed Authority response to the Suffolk County Council's Mineral and Waste Plan.

RESOLVED

that the Authority endorse the proposed response as set out in the report.

**5/15 Heritage Asset Review Group**

The Committee received the notes from HARG held on Friday 10 November 2017.

In the Chair of the Group's absence, Jacquie Burgess presented the notes of the HARG meeting, commenting that the group had welcomed the funding for the Water Mills and Marshes project, examined the programme of works as well as reviewing the Buildings At Risk register. The Group would act as a sounding board for the elements of the Water Mills and Marshes project and would be discussing in more detail how the Local List might be developed.

A member commented that it would be beneficial for Members to see the Common Farm, Silver Street/Ruggs Lane at Fleggburgh, a Grade II listed building on the Buildings at Risk Register and was in much need of repair. It was due to be the subject of a planning application. It was suggested that this might be included on the site visit day. The Head of Planning would discuss the possibility with the Historic Environment Manager and would consider the protocol for doing so.

RESOLVED

That the notes be received.

**5/16 Appeals to Secretary of State Update**

The Committee received a report on the appeals to the Secretary of State against the Authority's decisions since May 2017.

RESOLVED

that the report be noted.

**5/17 Decisions Made by Officers under Delegated Powers**

The Committee received a schedule of decisions made by officers under delegated powers from 24 October 2017 to 23 November 2017.

RESOLVED

that the report be noted.

**5/18 Date of Next Meeting**

The next meeting of the Planning Committee would be held on Friday 5 January 2018 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 11.14 am

CHAIRMAN

**Code of Conduct for Members**

**Declaration of Interests**

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

**Date of Meeting:**   8 December 2017

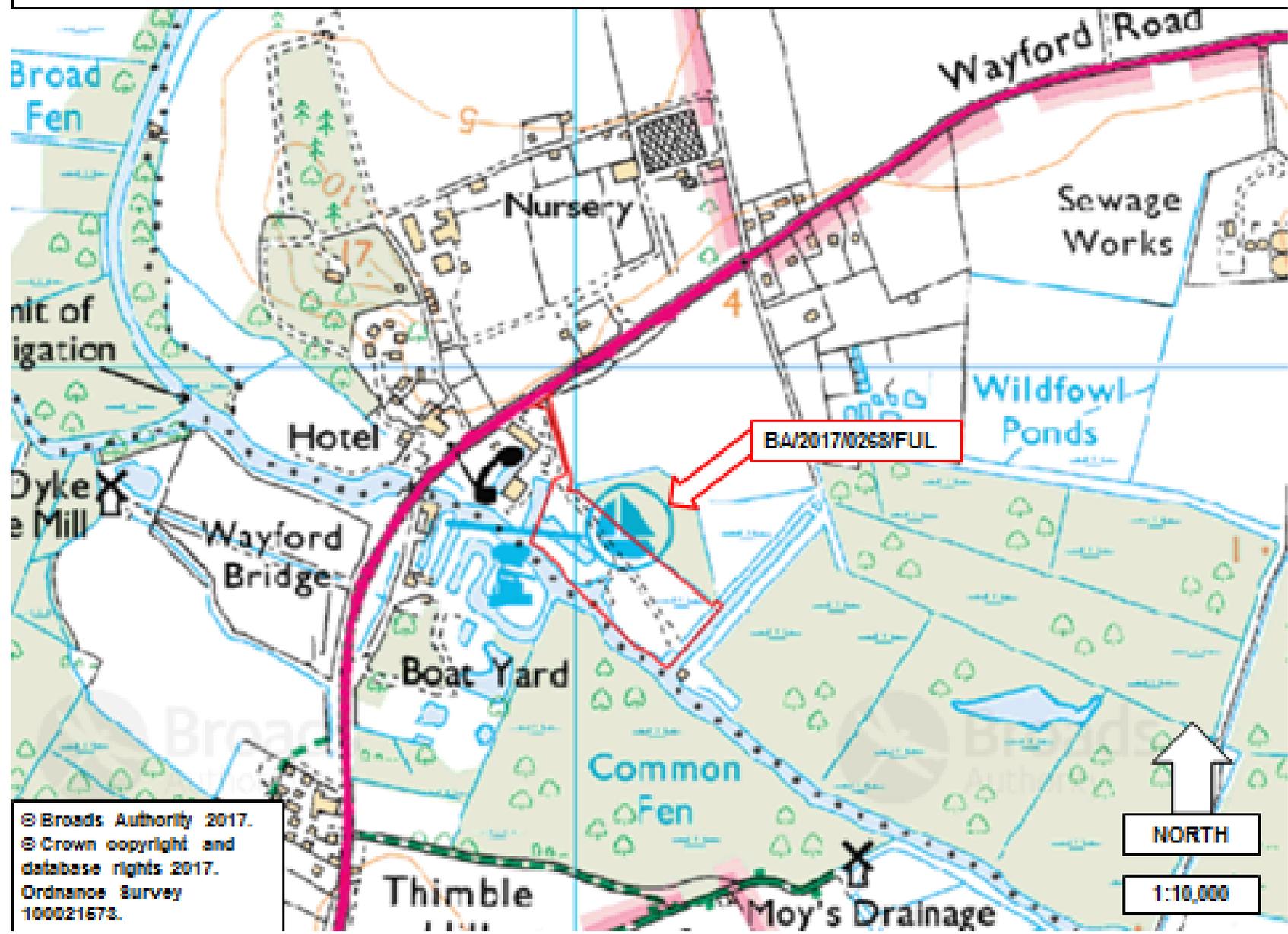
<b>Name</b>	<b>Agenda/ Minute No(s)</b>	<b>Nature of Interest (Please describe the nature of the interest)</b>
All Members	5/8(1)	<b>BA/2017/0401/FUL Waveney Inn and River Centre, Staithe Road, Burgh St Peter</b> Applicant member of Navigation Committee
All Members	5/8(2)	<b>BA/2017/0391/FUL Deerfoot, Horning</b> Applicant related to a Member of the Navigation Committee

**Reference:**

BA/2017/0268/FUL

**Location**

Wayford Marina, Wayford Road, Wayford Bridge,  
Stalham



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Ordnance Survey  
100021573.

**Application for Determination**  
Report by Planning Officer

<b>Target Date</b>	31/01/2018
<b>Parish:</b>	Stalham Parish Council
<b>Reference:</b>	BA/2017/0268/FUL
<b>Location:</b>	Wayford Marina, Wayford Road, Wayford Bridge
<b>Proposal:</b>	Redevelopment of the Existing Wayford Marina to include an improvement to the facilities, allow public access and the construction of an additional workshop, office and toilet.
<b>Applicant:</b>	Wayford Marine Ltd
<b>Recommendation:</b>	Approve subject to Conditions
<b>Reason for referral to Committee:</b>	Major Development

## **1 Description of Site and Proposals**

- 1.1 Wayford Marina is situated approximately 2.5km directly west of Stalham on the southwestern edge of the village of Wayford. The site is located to the south of the A149. The River Ant fronts the site running northwest to southwest and Long Dyke forms the south-eastern boundary. The north-western boundary adjoins the Vintage Boat Company site. The site covers an area of approximately 2.2ha.
- 1.2 The site is accessed via a private track running from the A149 into the north-western corner of the site, which also provides access to the property known as The Malthouse situated between the site and the A149. A Portacabin type building, used as an office, and a toilet block are situated in the northwest corner of the site. Opposite this there is a mooring basin. About half of the site to the north-west has historically been used as a boatyard and two sheds, measuring approximately 30m x 25m combined, have been erected on the site for use by the boatyard. Beyond these sheds, to the southeast, is mostly

rough ground which until recently was covered with an accumulation of elderly boats and general scrap. A small part of this area remains in a natural state comprising reed bed and alder carr. A small mooring cut exists in the south-eastern corner of the site. A slipway is located towards the middle of the site providing boat access to the river. Until recently many boats were moored along the river frontage of the site and within Long Dyke in a somewhat haphazard arrangement and it is estimated that in total there were probably over 100 boats on the site.

- 1.3 The site is situated in Flood Risk Zones 1, 2 and 3 on the Environment Agency's Flood Risk Maps.
- 1.4 The proposal is for the continued use of, and improvements to, the boatyard, comprising the erection of 3 buildings and other improvements. The existing access off the A149 would be retained. A flat roofed, stained cedar clad building, measuring 8.1m by 4.5m approximately with a maximum height of approximately 2.49m, would be erected at the entrance to the site to accommodate the office and a stained cedar clad portable steel unit, measuring approximately 2.4m by 4.8m with a maximum height of approximately 2.8m would be erected as a new toilet block adjacent to the office. A new storage building would be constructed adjacent to the two existing workshops and the north-eastern site boundary. This building would measure 18.6m by 10.7m with a ridge height of 6.25m. It would be a pitched roof building constructed of Goose Wing grey profile sheeting.
- 1.5 The existing slipway in the centre of the site would be made available to the public for boat and canoe launching. The southern-most part of the existing mooring basin would continue to be used to provide 28 moorings with the northern area being used to moor 4 boats for sale and accommodate 8 day boats for hire. The quay heading along the Long Dyke site frontage, around the small mooring cut, adjacent to the area of public moorings and within the main mooring basin would all be replaced. A new boardwalk would be extended along the river frontage of the site, extending along the Long Dyke frontage, and a number of floating finger jetties would be added to the river frontage of the site on either side of the slipway to maximise the mooring opportunities associated with this boatyard. The finger jetties would comprise 4no. 800mm x 7.4m and 2no. 800mm x 5.5m. In summary the resultant mooring to be provided at the marina would comprise:

28 x side on moorings on the river (including 4 in the small cut in the southeastern corner of the site);

9 x side on to the new finger jetties on the river;

28 in the existing basin;

2 x 24hr moorings for public use on the river;

4 x boats for sale in the basin;

8 x day boats for hire in the basin;

Total 79 moorings.

Onsite car parking would be provided at various locations on the site for day boat, brokerage and boatyard customers, totalling 35 spaces, including 5 for the less able. Previously there was no formal onsite parking.

- 1.6 At the time the application was submitted it included a proposal for seven single storey holiday units to be erected at the south-eastern end of the site fronting both the River Ant and Long Dyke. The units would have each accommodated between 4 and 8 people. However during the statutory consultation process the Highway Authority raised an objection on the basis that the inclusion of these holiday units in the overall scheme for the site would generate an unacceptable number of vehicle movements off the A149, which is classified in the Norfolk County Council Route Hierarchy as a Principal Road. Without extensive road improvement works to this junction to mitigate the effects of the additional traffic the Highway Authority could not support this application. The cost of the works required would be high and the seven holiday units were subsequently removed from the scheme.
- 1.7 The site is subject to a Section 52 Agreement under the Town and Country Planning Act 1971 (the precursor to the current S106 Agreement). The Agreement covers the land subject of this application plus land now owned by the Vintage Boat Company and the land situated in the south-eastern corner of Long Dyke, as at that time they were one single unit. This Agreement was drawn up in 1988 to accompany the planning permission that was granted for the retention of the mooring basin in the centre of the subject site and the quay heading for private craft (BA/1987/3595/HISTAP). The Agreement was considered necessary to limit the number of motor craft that were stored or moored on the site excluding sailing boats, boats for sale, any boats awaiting repair or restoration and any boats in long term storage. The original site was subsequently subdivided and following the subsequent sale of the Vintage Boat Company, and the land to the southeast, under this Agreement the Wayford Marina site is allowed 50 boats excluding sailing boats, boats for sale, any boats awaiting repair or restoration and any boats in long term storage, of which 10 can be hire boats. This application is also seeking the discharge of this Agreement.

## **2 Site History**

- 2.1 BA/1987/3595/HISTAP - Retention of mooring dyke and quayheading for private craft. Granted permission at Appeal and subject to S52 Agreement.
- 2.2 BA/1988/3385/HISTAP - Retention of mooring dyke and retention and completion of quay-heading. Approved subject to Conditions.
- 2.3 BA/1998/2009/HISTAP - Retention of wooden landing stage. Approved subject to Conditions.
- 2.4 BA/2000/1862/HISTAP - Retention and alterations to office / store. Approved subject to Conditions.

- 2.5 BA/2005/1326/HISTAP - Erection of boat shed. Approved subject to Conditions.
- 2.6 BA/2007/0035/FUL - Proposed new boat shed. Withdrawn.
- 2.7 BA/2007/0177/FUL - Proposed new boat shed. Approved subject to Conditions.

### **3 Consultations**

#### 3.1 Consultations received

##### 3.1.1 District Member

This Application may be decided by Head of Planning.

I am quite happy for delegated authority for this one, but bearing in mind access may prove a problem because of proximity to the Wayford Bridge Hotel and the awkward turn that is required to actually enter the access, I would be interested to see the Highway Comments.

##### 3.1.2 Environment Agency

No objection to the existing septic tank, which it has been confirmed is a cess pit.

Flood Risk – No objection provided the scheme is developed in accordance with the submitted Flood Risk Assessment.

Conservation – No major issues with regards to conservation as the subject area is an existing boatyard and already developed.

##### 3.1.3 Stalham Town Council

Stalham Town Council has no objection to the proposal subject to a resolution of the problem of access to the Highway and measures being taken to improve A149 access.

##### 3.1.4 Historic Environment Service

We consider that the amended development proposals will have a minimal impact on the historic environment.

We will not be recommending that any archaeological conditions are placed on the application and have no further comments to make.

##### 3.1.5 Highway Authority

Following a full assessment of the amended application and taking into account national planning policy, I consider that on balance, the proposals as amended are unlikely to have a severe residual impact in transport terms and therefore could not sustain an objection to this application.

Accordingly should your Authority be minded to approve this application I would recommend the following condition be appended to any grant of permission your Authority is minded to make.

“SHC 24 Prior to the commencement of the use hereby permitted the proposed access, on-site car parking / servicing / loading, unloading / turning / waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.”

3.1.6 North Norfolk Environmental Health Officer  
No objection subject to conditions:

Timing of piling  
External lighting  
Ventilation and air conditioning

3.1.7 Norfolk and Suffolk Boating Association

Taking account that this location is a long way up the tree-lined river Ant from areas of river used by regattas and is less busy than other areas, we suggest the following further investigations and conditions:

1. Any consent should stipulate the maximum overall length of boat, location by location that may be moored end-on.
2. The residual navigable river width should be stated in any consent.
3. The setting out of new quay headings and finger jetties should be checked against the approved survey plan at the time of construction to ensure that room for river traffic is provided.
4. Arrangements for securing the 30 metres of publicly available side on-mooring should be conditioned.
5. Consideration should be given to signage to advise where to turn around in the river for larger boats arriving at Wayford Bridge and wishing to turn.
6. Any opportunity to provide a mast lowering mooring for sailing boats (if not already provided on this quadrant at Wayford Bridge) should be investigated.

In the context of our earlier response and the revised navigable width in the river adjacent the moorings on the site frontage, we have no objection if the Head of Ranger Services minimum dimension of 18m is achieved by suitably worded conditions.

3.18 Navigation Committee

The Minutes of the Navigation Committee on 7 September 2017 state: Members in general agreed with the planning permission but suggested to push for more public moorings.

3.2 Representations received

3.2.1 Representations from 16 parties have been received on this planning application. Fifteen of the representations received were opposing the scheme with one representation being in support. The majority of the representations received were from the owners of the moorings and mooring plots on Long Dyke. Whilst many of them appreciated that the development and improvement of the boatyard is inevitable they were objecting to the holiday accommodation element of the scheme. As this feature of the proposed development has now been removed from the scheme it is no longer necessary for these matters to be taken into consideration in the determination of this application.

3.2.2 The objections to the scheme, which are still relevant to the consideration and determination of the amended application, can be summarised as follows:

- The vehicular access to the site is a private access and does not provide for access rights for public use to the boatyard, boat hire or the slipway.
- The width of the access track is insufficient to deal with the additional traffic that would be generated. Vehicles have to leave the A149 at speed to enter the access track, which would be a traffic hazard, given the width of the track.
- Concern that the use of a septic tank would give rise to pollution in the area around the dyke.
- Finger jetties and stern on mooring would narrow the river making navigation more difficult plus there would be an increase in general boat traffic.
- The number of public moorings to be provided is completely disproportionate for a development of this size. These moorings should be provided prior to the construction of the additional shed.
- The screen of trees along the Long Dyke frontage of the site should be retained.
- A restriction should be imposed on the carparking to be provided ensuring that it is not used for boat storage and sufficient turning space should be provided on site for larger vehicles.
- The additional shed on the site as this will generate more business and associated additional traffic.
- Pump out facilities and refuelling provided omitted from plan.

3.2.3 The letter in support of the proposal welcomes the improvement to the boatyard facilities.

## **4 Policies**

4.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

[NPPF](#)

#### 4.1.1 Core Strategy

[Core Strategy Adopted September 2007 pdf](#)

CS1 Landscape Protection and Enhancement  
CS3 The Navigation  
CS4 Creation of New Resources  
CS6 Historic and Cultural Environments  
CS9 Sustainable Tourism  
CS14 Water Space Management  
CS17 Access and Transportation  
CS23 Economy

#### 4.1.2 Development Management Policies DPD

[Development-Plan-document](#)

DP1 Natural Environment  
DP2 Landscape and Trees  
DP4 Design  
DP11 Access on Land  
DP29 Development on Sites with a High Probability of Flooding

4.2. The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

#### 4.2.1 Core Strategy

CS20 Rural Sustainability

#### 4.2.2 Development Management Policies DPD

DP5 Historic Environment  
DP12 Access to the Water  
DP13 Bank Protection  
DP14 General Location of Sustainable Tourism and Recreation Development  
DP16 Moorings  
DP20 Development on Waterside Sites in Commercial Use, including Boatyards  
DP28 Amenity

#### 4.3 Neighbourhood Plan

None apply to this site.

## 5 Assessment

5.1 In assessing this proposal the main issues to consider include: the principle of the development; impact on navigation; highways impact; design and materials; landscape and trees; ecology; and floodrisk.

- 5.2 The site is an established boatyard which has been in operation for a number of years. In recent years it is understood that the boatyard has not been operating to its full potential. The boatyard has just changed hands and the new owners are keen to rationalise the operation of the yard and improve the facilities by tidying up the site, providing more undercover storage, improving the mooring provision, making the slipway available for public use and contributing to the tourism industry with the continued provision of day boats for hire and the creation of visitor moorings.
- 5.3 Policy DP20 of the Development Management Policies supports the development of new boatsheds and other buildings to meet the operational needs of the boatyard . Policy DP12 Access to Water encourages the use of the water with the provision of jetties, walkways, slipways and electric hook up points. Policy DP16 permits moorings where they contribute to the network of facilities around the Broads system and where provision is made for public moorings. Policy DP14 permits tourism and recreational development where it is closely associated with a boatyard. All of the above Policies require compliance with a number of different criteria in order for a proposal to be considered acceptable, which will be considered in the following paragraphs, but in principle the development proposed is considered to be in accordance with the intent of all these Policies.
- 5.4 One of the main considerations, which is raised in a number of the Policies referred to above, and in Policy CS 3 of the Core Strategy is the impact that any development close to the water would have on the navigation. This is also a matter that has been raised in a number of the representations. This development is proposing to rationalise the existing mooring provision along the river frontage of the site by creating timber walkways along the river bank and adding a number of floating finger pontoons on the river front either side of the slipway. The majority of the boats would be moored side on along the lengths of timber walkway. However, boats would be moored stern on adjacent to the finger jetties. The number and length of the 6 new finger jetties has been modified as a result of consultation responses to ensure that in combination with the timber walkways the minimum navigable width of the river is retained at 18m to 21.5m, which is considered to be acceptable. In order to ensure that no further encroachment into the navigation occurs as a result of larger boats being moored on the finger jetties it is recommended that a condition be imposed preventing any boats from extending beyond the end of the jetties. On this basis it is considered that this proposal would be in compliance with Policy CS 3 of the Core Strategy and DP16 of the Development Management DPD.
- 5.5 The scheme also includes the replacement of lengths of piling and timber quay heading which would minimise the navigation hazard resulting from decayed timber quay heading breaking lose and entering the navigable areas of the river.
- 5.6 Policy DP16 of the Development Management Policies DPD states that mooring proposals must not result in the loss of short stay/visitor moorings and that not less than 10% of new moorings to be created (with a minimum of

two) shall be provided as short stay/ visitor moorings. Given the length of time this boatyard has been in operation, no specifically designated visitor moorings are currently available. The number of moorings legally permitted on this site currently is 61. The total number of moorings to be provided as a result of this development would be 79, which is an increase of 18. Therefore in accordance with the requirements of this Policy, 20m or 2 public moorings are to be provided at the north-western end of the river frontage of this site. Electric hook ups, water and pump out facilities via a wheeled bowser are to be provided to service these moorings. Safety features to be provided at the moorings include ladders, grab ropes and life rings.

- 5.7 Policies DP12 and DP14 of the Development Management Policies DPD seek to provide for access to the water and also to provide for sustainable tourism. It is considered that making the existing slipway on the site available for public use and making eight boats available for day hire would be in accordance with the intent of both of these Policies.
- 5.8 The highway impact arising from the proposed development has been the subject of a number of the representations received and detailed discussions with the Highway Authority. The Highway Authority could not support the original scheme as it included a number of holiday lodges and it was considered that the highway impact on the A149, arising from the development as a whole would be unacceptable without major junction improvements being carried out. The Applicant was unable to fund the necessary highway improvements and therefore the scheme was modified to remove the holiday chalets. The Highway Authority considers that the additional traffic to be generated by providing public access to the slipway is unlikely to generate a material increase in traffic movements to and from the site and is therefore unlikely to have a severe residual impact in transport terms. The proposed onsite car parking and manoeuvring provision is considered to be acceptable and it is recommended that a condition be imposed requiring the formation of these areas. There is therefore no highway objection to the scheme as amended.
- 5.9 A number of representations have been received from the owner of the vehicular access track to the boatyard objecting to the additional traffic that would be using this track on the basis that there is no public access along this track and that the increased use of this track would create a hazard at its junction with the A149. However, the legality of the use of the track by the boatyard is a civil not a planning matter and the Highway Authority are content that the anticipated traffic generated by this scheme can safely access and leave the site via this junction.
- 5.10 It is therefore considered that overall the highway impact associated with this proposed development, as amended, has been satisfactorily addressed and that the development is in accordance with Policy DP11 of the Development Management Policies DPD.
- 5.11 The scheme includes the construction of a new storage building together with the replacement of the existing office and toilet buildings at the entrance to the

site. The proposed storage building would be smaller than the existing workshops on the site and would be a steel portal frame building with a shallow pitched roof and light grey insulated cladding. This is considered to be an acceptable design for this building in terms of its function and appearance and it would be similar in colour to the existing sheds on the site. The new office building would be a more contemporary flat roof designed building clad in stained cedar with dark brown window and door frames. The replacement toilet block would be a portable steel unit clad in stained cedar to match the office. The design and materials of both buildings are considered to be appropriate for their setting and their proposed functions. They will both be a considerable improvement to the portacabins that are there currently. The scheme is therefore considered to be in accordance with Policy DP4 of the Development Management Policies DPD.

- 5.12 In terms of compliance with Policy DP2 – Landscape and Trees, with reference to the overall impact on the landscape of this scheme it is considered that the development would result in some visual changes, arising from the construction of formalised quay headed moorings, the introduction of the boardwalk and finger jetties and the construction of replacement and new buildings. However, it is considered that these changes are not uncharacteristic to the context of the site as a boatyard. This, together with the fact that the visual envelope of the site is relatively well contained and, taking into consideration the previous condition of the site and its immediate setting, means that the overall impact on the landscape is considered to be acceptable. The application is supported by both a Proposed Landscaping Plan and an Arboricultural Impact Assessment. The combination of the two documents would see the majority of the trees on site retained and the site tidied up with the majority of the site cleared, levelled and sown to grass. The existing reedbed on the site would also be retained. The tracks and onsite parking areas would be constructed of 20mm recycled gravel over crushed concrete hard-core to match existing vehicular access areas. Given that this is a working boatyard, this landscape treatment is considered to be appropriate. The proposal is therefore considered to be in full accordance with Policy DP2 of the Development Management Policies DPD and paragraph 115 of the NPPF.
- 5.13 The application has been accompanied by a Protected Species Survey and an associated 10 year Management and Maintenance Plan. The Protected Species Survey confirms that bats use the local area for foraging and may therefore utilise the existing buildings on the site. It is therefore recommended that a condition be included requiring emergent surveys to be carried out prior to any work being carried out on the site office and boat workshop buildings. It is also recommended that a condition be imposed requiring an onsite external lighting plan to be submitted for approval. Whilst the site has limited potential to hold common reptiles there may be grass snakes. Therefore it is recommended that a condition also be imposed requiring the construction of two hibernacula in accordance with the recommendation set out in the Report. Whilst the Protected Species Survey has concluded that the site has limited potential for water voles the timber walkways have been designed with a gap between the bottom of the horizontal walings and the water level to allow

wildlife access to the natural riverbank beneath. The boardwalk would also be in 27m lengths with a 3m gap between each length to allow fauna and flora to flourish between. Finally, the scheme includes a boat wash down facility, which will reduce the possible pollution of the waterways and aid biosecurity. It is therefore concluded that this scheme is generally in accordance with Policy DP1 of the Development Management Policies DPD.

- 5.14 Part of the site is situated in Flood Risk Zones 2 and 3 and as such the application has been accompanied by a Flood Risk Assessment. The three buildings to be constructed will, however, be located in the area of the site currently classified as being in Flood Risk Zone 1. The finished floor level of the proposed office and the toilet buildings would be set at 1.46AOD which is 0.3m above ground level and would exceed all current flood events. However, once climate change is added to this site the 1:100 year flood event would see flood levels of 1.77AOD which would result in the proposed office building and toilet building flooding to a level of 0.31m. In this instance this is not considered to be unacceptable as the buildings and their use would be considered as Water Compatible under the Environment Agency's matrix as they would be associated with a boatyard business and would not include any habitable accommodation. The Environment Agency has confirmed that based on the Flood Risk Assessment they have no objection to the proposed development, however, it is recommended that conditions be imposed on any planning permission requiring the submission of detailed flood resilient construction scheme for the office, toilet building and boat storage building and also the preparation and submission of a Flood Evacuation Plan. The Flood Risk Assessment also confirms that a drainage system for surface water runoff would need to be designed and installed to contain up to and including the 1 in 100yr rainfall event including climate change. This can be achieved by condition. It is therefore considered that this development is in accordance with Policy CS20 of the Core Strategy, Policy DP29 of the Development Management Plan DPD and the NPPF.
- 5.15 With reference to the S52 Agreement that currently covers the site the Head of Rangers and the Senior Waterways and Recreation Officer consider that this Agreement is no longer required. It is considered that protection of the navigable area of the river would be more effectively achieved through the use of planning conditions restricting the way in which the boats are moored on the river frontage i.e. side on or stern on, and limiting the length of the boats moored on the proposed finger jetties to ensure that they do not extend beyond the end of the jetties. It is therefore recommended that Members consider the ongoing need for this Agreement and whether or not it could be discharged.

## **6 Conclusion**

- 6.1 Wayford Marina has been an active boatyard for many years. The development proposed in this current application has been put forward to ensure the future financial viability of the boatyard by improving the facilities available and rationalising the mooring provision. The opening up of the

slipway to public use and the provision of 8 day boats for hire would also help to increase access to the water.

- 6.2 It is considered that the scheme is in general compliance with the relevant Development Plan Policies and the NPPF.

## **7 Recommendation**

It is recommended that this application be approved subject to the following conditions and the discharge of the Section 52 Agreement:

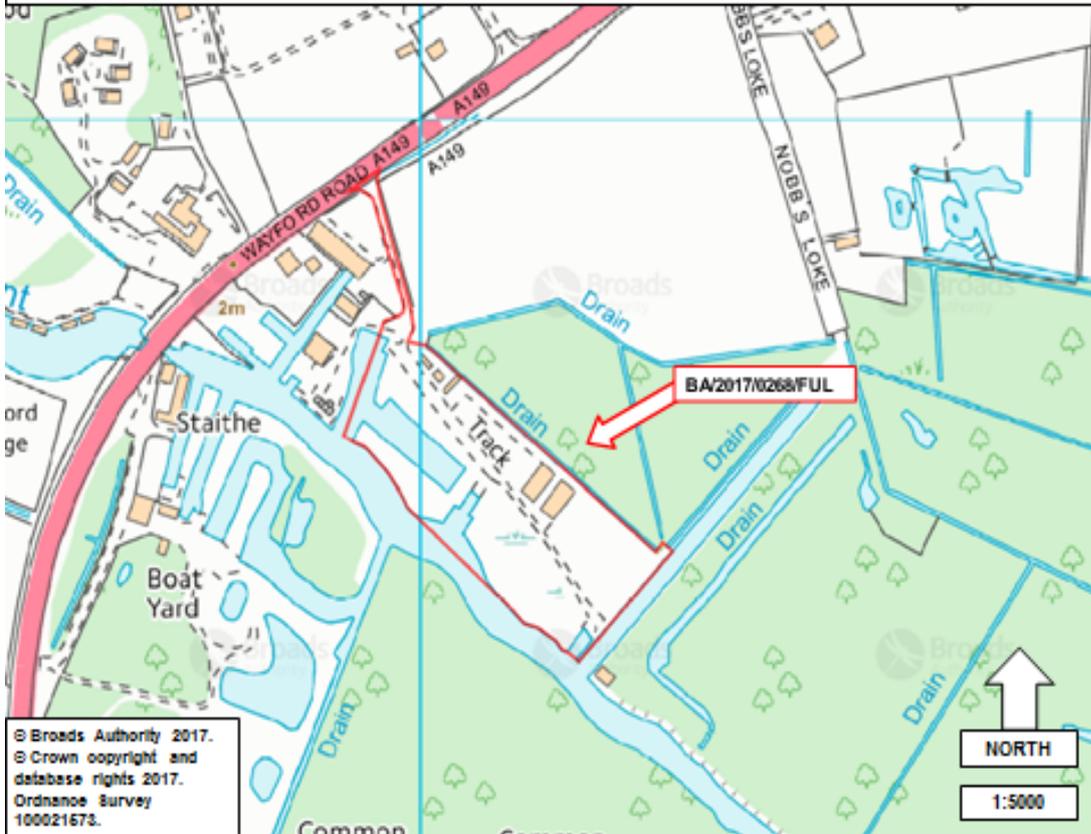
1. Time limit;
2. In accordance with submitted plans and associated documents;
3. Samples of - Stain to be used on office and toilet building  
Cladding on boat storage building  
to be submitted for approval;
4. Details of any ventilation or mechanical extractor system to be installed in any building to be submitted for approval;
5. Ventilation or mechanical extractor system to be installed in accordance with approved details;
6. Timing restriction on piling;
7. All quay heading shall be constructed with timber piling, capping and waling, and any preservative shall be applied only by pressure treatment with non-toxic chemicals;
8. All boardwalks and finger jetties to be constructed from Vac Vac treated timber;
9. Construction details for the floating jetties to be submitted for approval;
10. Jetties to be constructed in accordance with approved details;
11. Specification for safety ladders to be submitted for approval;
12. Safety features to be provided in accordance with submitted details;
13. Details of maintenance schedule for walkway, floating jetties and safety features to be submitted for approval;
14. No boat to be moored at any time on the finger jetties that extends beyond the end of the jetty;
15. All boats to be moored side on unless moored on the finger jetties;
16. Two visitor/24hr moorings to be provided and retained at all times;
17. Details and location of signage advising of boat turning area to be submitted and signage erected;
18. Scheme carried out in accordance with Arboricultural Report;
19. Detailed landscaping scheme to be submitted which incorporates recommendations made in Protected Species Report and which incorporates specification for grid/ cellular system for gravelled vehicular access and car parking areas;
20. Landscaping scheme to be carried out in next planting season;
21. Any plant that dies within 5yrs is replaced;
22. Any planting shown as being retained is retained on site;
23. Formation of proposed access, car parking and onsite manoeuvring areas to satisfaction of Highway Authority;
24. Scheme for surface water disposal and maintenance of system to be submitted for approval;

25. Surface water disposal scheme to be implemented in accordance with approved details;
26. Details of boat wash down facility to be submitted for approval;
27. Boat wash down facility to be provided in accordance with approved details;
28. Finished floor level of office building to be a minimum of 1.46AOD;
29. A Flood Evacuation Plan to be submitted for approval;
30. A scheme for flood resilient measures to be incorporated in the office, toilet and boat storage building to be submitted for approval.
31. Buildings to be constructed in accordance with flood resilient scheme;
32. Timing of works to avoid bird breeding/nesting season;
33. Further dawn bat surveys required prior to any work on office or boatshed;
34. Install bat boxes;
35. Lighting scheme to be submitted for approval;
36. Lighting scheme to be implemented as approved;
37. Timing and methodology for works to protect reptiles;
38. Details for hibernacula to be submitted for approval;
39. Hibernacula to be provided in accordance with approved details;
40. Any trenches or holes to be covered overnight and all rubbish or waste removed immediately.

## **8 Reason for Recommendation**

In the opinion of the Local Planning Authority the proposed development is in full accordance with Policies CS1 Landscape Protection and Enhancement, CS3 The Navigation, CS4 Creation of New Resources, CS6 Historic and Cultural Environments, CS9 Sustainable Tourism, CS14 Water Space Management, CS17 Access and Transportation, CS23 Economy and CS20 Rural Sustainability of the Core Strategy and Policies DP1 Natural Environment, DP2 Landscape and Trees, DP4 Design, DP5 Historic Environment, DP11 Access on Land, DP29 Development on Sites with a High Probability of Flooding, DP12 Access to the Water, DP13 Bank Protection, DP14 General Location of Sustainable Tourism and Recreation Development, DP16 Moorings, DP20 Development on Waterside Sites in Commercial Use, including Boatyards and DP28 Amenity and the NPPF.

Background papers:	BA/2017/0268/FUL
Author:	Alison Cornish
Date of report:	15 December 2017
Appendices:	Appendix 1 – Map



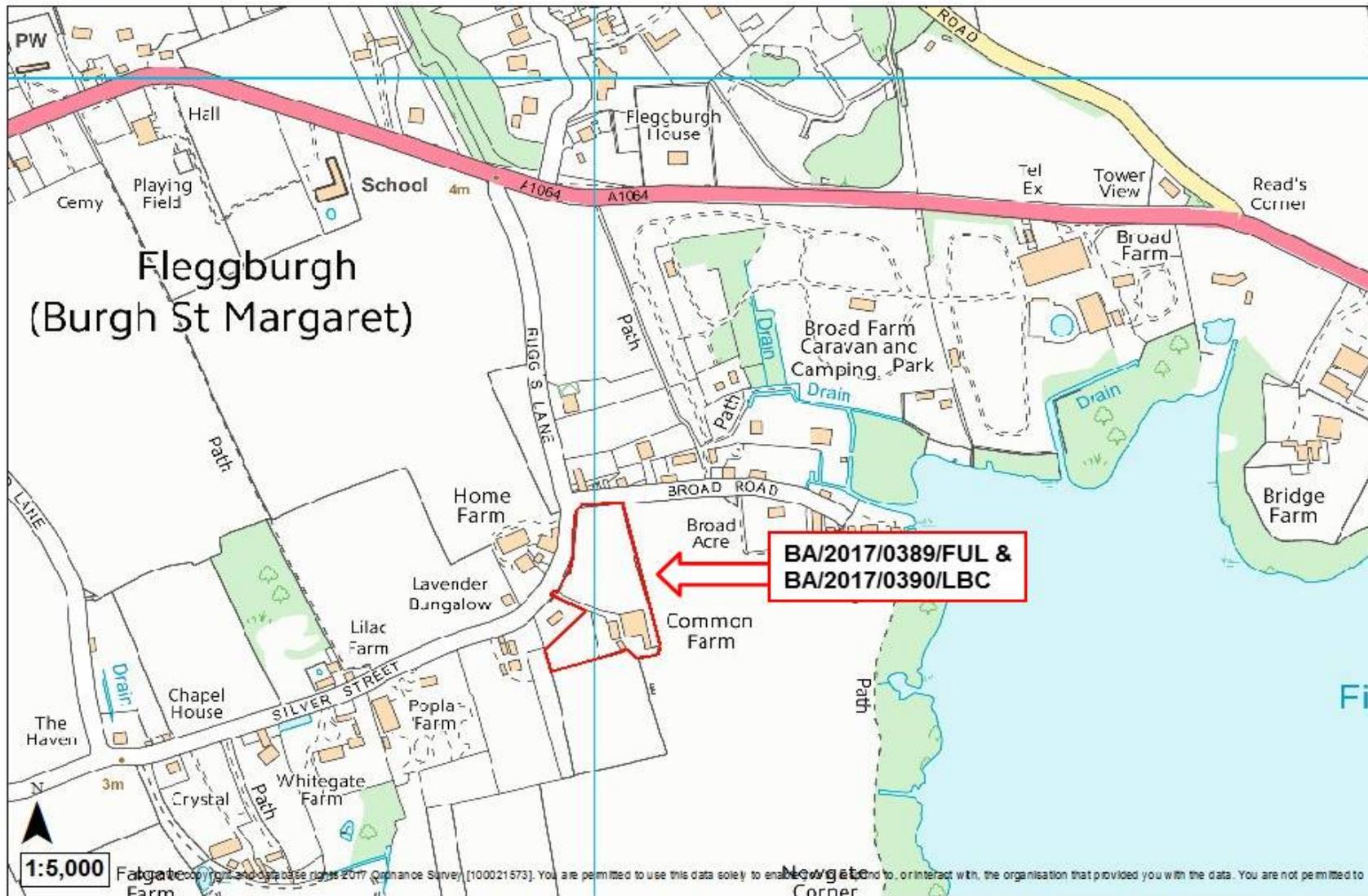
**Reference:**

BA/2017/0389/FUL and BA/2017/0390/LBC

**Location**

Common Farm, Silver Street, Fleggburgh

**BA/2017/0389/FUL & BA/2017/0390/LBC - Common Farm, Fleggburgh**



**Application for Determination**  
Report by Planning Officer

<b>Parish</b>	Fleggburgh
<b>Reference</b>	BA/2017/0389/FUL <b>Target date</b> 16 January 2018 BA/2017/0390/LBC
<b>Location</b>	Common Farm, Silver Street, Fleggburgh, NR29 3DB
<b>Proposal</b>	Demolition of workshop building, renovation of farmhouse and construction of single story link extensions to farm buildings, convert to domestic use. Replacement cattle shed and farm storage buildings.
<b>Applicant</b>	Mr Peter Flowerdew
<b>Recommendation</b>	Site Visit
<b>Reason for referral to Committee</b>	Director discretion

**1    Description of Site**

- 1.1    The subject comprises an area of buildings and land within the north-western corner of Common Farm, a working farm located to the south of the village of Fleggburgh and to the west of Filby Broad. The main part of the village is located to the north of the A1064, to the south of the A1064 the landscape gives way to large arable fields, with a string of farms and residential properties running east to west along Broad Road, Ruggs Lane, and Silver Street. Access to Common Farm is via Silver Street and then Ruggs Lane (which leads directly south of the A1064) and there are two accesses, one off each road, one of which is a field access and the other, located a short distance to the south, accesses the farm buildings.
- 1.2    The farm comprises approximately 16 hectares of land with a mixed arable, pasture and cattle use. The subject site covers an area of 0.72 hectares and comprises the farm buildings and an area of adjacent pasture land. The farm buildings were traditionally in a horseshoe configuration with a central yard, but this has been interrupted by the introduction of a large barn/workshop and surrounding concrete hardstanding in the central yard sometime in the 1980s. The original farmhouse lies on the western side of the horseshoe. It is a Grade II Listed building dating from the mid 18<sup>th</sup> Century and is currently in a very poor state of repair and is included on the Broads Authority Heritage At Risk Register under risk category A. Adjacent to the farmhouse is a small cart

shed and outside toilet, whilst the northern side of the horseshoe features a hay barn, and to the eastern side is the Great Barn which is also Grade II Listed, adjoining this is a further cart shed and store.

- 1.3 The eastern boundary of the site is adjacent to Filby Broad, with the arable fields being separated from the Broad by a strip of trees and scrub. The Broad itself is within the designated Trinity Broads Site of Special Scientific Interest (SSSI) and Broads Special Area of Conservation (SAC).

## **2 Proposed Development**

- 2.1 The proposal is for the following works to the existing farm buildings:

- Repair and renovation of the Listed farmhouse
- Conversion of small cart shed and outside toilet to a farm office, with glazed link from the farmhouse
- Single storey extension to the northern flank of the farmhouse
- Infill/linking extension between the farmhouse and hay barn
- Conversion of hay barn to form part of the extended farmhouse
- Removal of 1980s large barn/workshop
- Removal of raised concrete hardstanding
- Reinstatement of original central yard ground levels
- Construction of raised terrace to north of yard
- Remainder of yard to comprise gravel, brick paving, and granite setts
- Gravel driveway to north of farm buildings with provision of 2 parking spaces

- 2.2 The proposal is for the following works on land adjacent to the farm buildings:

- Large single farm building providing feed and farm equipment stores on land to north-west of existing farm buildings, running parallel to Silver Street, and adjoining the eastern flank a single cattle store building
- Solar panels to the southern roof slope of the cattle store
- 1.8m tall close boarded timber access gate to existing field access
- Hard surfaced access to the stores building with crushed concrete hardstanding to front of stores
- Ground source heat pump to west of the farmhouse

- 2.3 The primary purpose of the application is to restore the dilapidated Grade II Listed farmhouse and bring it back into residential use, with conversion of existing structures and a mix of contemporary and traditional extensions to provide a level of accommodation suitable to modern living.

- 2.4 A secondary purpose is to tidy up the site through the removal of problematic late 20<sup>th</sup> Century additions, and in providing farm equipment storage, to remove the profusion of farm equipment which is stored in open air around the existing buildings and gives certain parts of the site an untidy appearance.

- 2.5 In addition a new cattle handling and accommodation building will allow for the existing cattle at the farm to be housed over winter.
- 2.6 The planning application under ref BA/2017/0389/FUL runs parallel to an application for Listed Building Consent under ref BA/2017/0390/FUL.

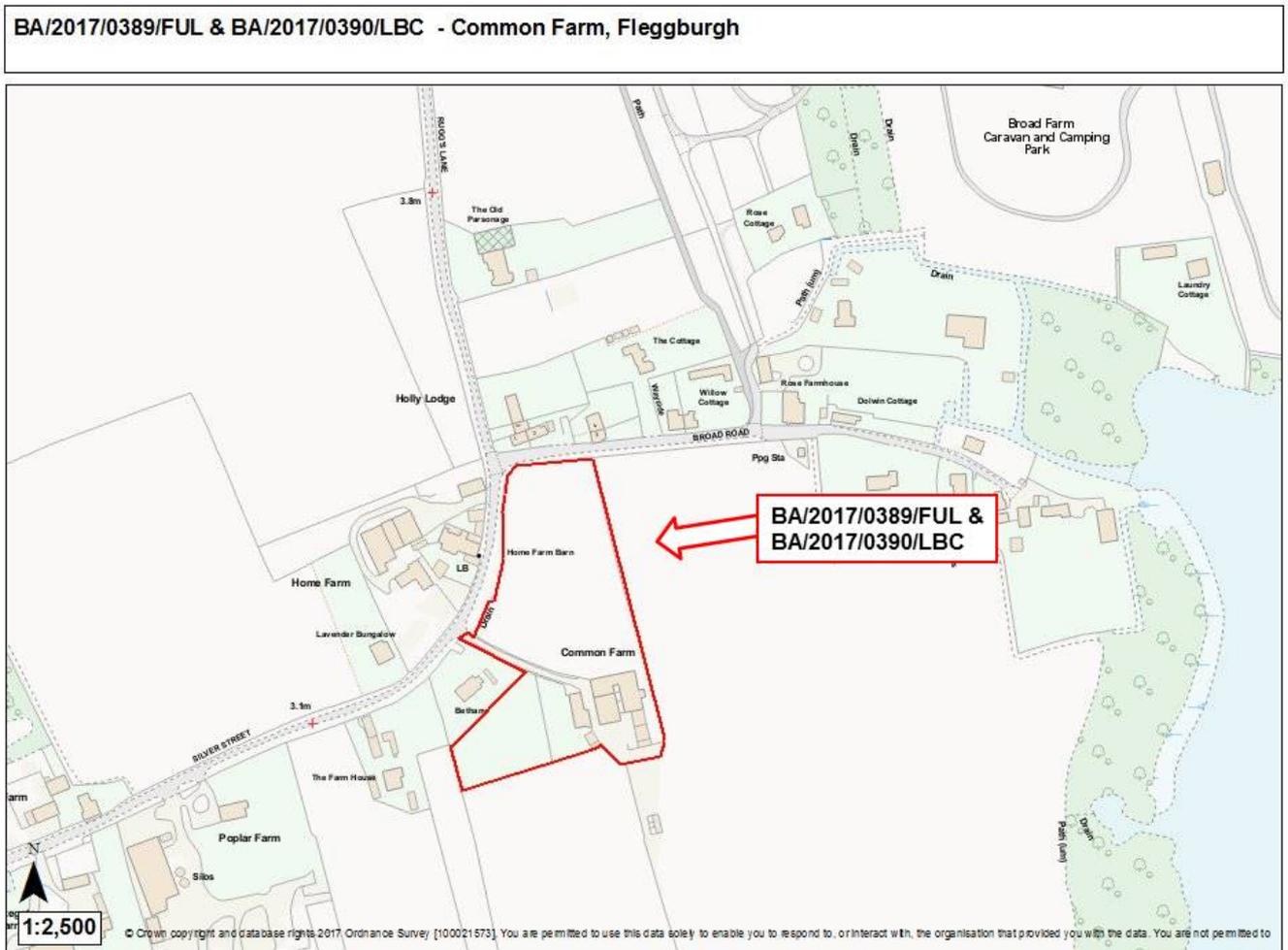
### 3 Recommendation

- 3.1 It is recommended that a site visit is carried out in advance of the applications being considered by the Planning Committee.

List of Appendices: Location Plan

Background papers: Application Files BA/2017/389/FUL and BA/2017/0390/LBC

Author: Nigel Catherall  
Date of Report: 12 December 2017



**Enforcement of planning control  
Non-compliance with planning condition at  
Barnes Brinkcraft, Riverside Estate, Hoveton**  
Report by Head of Planning

**Summary:** Unauthorised development at Barnes Brinkcraft has resulted in encroachment into the navigation area.

**Recommendations:**

- (1) That the unauthorised development at Barnes Brinkcraft into the navigation area is unacceptable;
- (2) That officers are authorised to negotiate the restriction on the vessel length, an agreed mooring configuration, a scheme of management in respect of the pontoon, and the removal of the build-out.

**Location:** Barnes Brinkcraft, Riverside Road, Hoveton

**1. Background**

- 1.1 In July 2017 planning permission was granted at the Barnes Brinkcraft site in Hoveton for works described as 'Replacement of 158m of quay heading, removal of 280 square metres of land, installation of pontoons, widening of access track and removal of storage shed' (BA/2017/0155/FUL). Details of the planning application can be found on the Broads Authority website using the planning application reference number or by this [Link](#) . The works relevant to this report involved the removal of a peninsula of land which ran parallel to the river and enclosed a mooring basin, the effect of which was to turn the mooring basin enclosed on four sides into a mooring bay enclosed on three sides. It was then proposed to bisect this new bay with a pontoon positioned parallel to the river which would facilitate moorings either side via finger pontoons, which would increase the capacity of the site.
- 1.2 The drawings submitted with the application showed the proposed arrangement, including the location of the new pontoon and the mooring layout and it was clear that this would not result in vessels encroaching further into the river than they had done previously. Some Members may recall that a barge had been moored on the riverfront here for a number of years and the outer extent of this (i.e. the river side) was taken as the furthest extent of encroachment into the river.

## **2. The planning breach**

- 2.1 The works to implement the planning permission commenced in September 2017, initially with the clearance of the basin, the removal of the peninsula of land and the renewal of the quay heading. The works have not, however, been completed in accordance with the planning permission as follows:
- a. A spit of land downstream of the basin, which runs perpendicular to the river and separates this mooring basin from another mooring basin, has been extended out into the river by approximately 1.2m; and
  - b. The new pontoon has been located approximately 4.2m closer to the river than proposed on the approved drawing; and
  - c. The configuration of the moorings on the new pontoon is not as shown on the approved drawing.

These are illustrated by the photographs in Appendix 2

- 2.2 The operator has explained in respect of (a) that the land has been restored to a previously existing extent, the former land having been removed at some point in the past by a previous owner. In respect of the pontoon at (b), it should be noted that it is 0.5m narrower than permitted and that the approved drawing shows the guide piles located to the front (riverside) of the pontoon, whilst on site they are located to the rear.
- 2.3 The cumulative effect of the above changes is that the navigation channel has been narrowed, both by the encroachment of the extended land and the encroachment effect of vessels mooring on the new pontoon. The extent of the encroachment by moored vessels will depend on their length, however as the pontoon is approximately 3.7m further forward (taking account of its reduced width) than previously shown, there remains potential for encroachment by vessels of an average length. It should be noted that initially vessels of up to 10.5m in length were being moored on the new pontoon, but when advised of the issues the operator moved these and limited the length to 7.5m.

## **3. The planning issues**

- 3.1 The River Bure immediately downstream of Wroxham Bridge is one of the busiest parts of the navigation area, with hire boat yards, day boat operators, private and commercial moorings and large passenger trip boats all operating from here and sharing the water space. There are also visitor facilities locally and Broads Authority 24 hour moorings, which makes the area attractive to boaters. The navigable width downstream of the entrance to the Broads Tours site to the bend varies from 31m (measured land to land directly opposite the southern end of the Peninsula Cottages development) to 16.4m (measured vessel to vessel directly opposite The Sail Loft holiday

accommodation building). The average width is around 22m and it is noted that the area in question in this report is one of the narrowest sections and the distance between the moored boat on the opposite (Wroxham) bank and previously moored barge was measured at 18.3m. It is also noted that clear passage upstream is constrained by the bridge, which is narrow and not, in any case, passable by all craft at all stages of the tide and this generates turning movements,

- 3.2 In addition to the physical constraints represented by the bridge and river width, and the sheer volume of users here, it is also noted there is a slight bend in the river at the area in question which reduces visibility (particularly upstream) and means that the passenger trip boats need to swing out to manoeuvre. Manoeuvring is already compromised by the moored boats on the Wroxham side of the river, which have increased in number and size over the years. The new pontoon is located at the mid-point of the bend, so any additional encroachment has a particularly significant impact as this creates a pinch point.
- 3.3 Finally, it should also be noted that the nature of the uses here, particularly the three day boat operators within the vicinity of the bridge, means that there is likely at any time to be a high percentage of inexperienced helms manoeuvring.
- 3.4 Given all the above circumstances, the potential for conflict between users is high and the maintenance of a clear navigation is important in reducing and managing these risks.
- 3.5 The matter was referred to the meeting of the Navigation Committee on 14 December 2017 and following discussion their formal comments are:

The Navigation Committee welcomes investment to provide improved mooring provision but has grave reservations about any encroachment on the navigation of the river and that the Planning Committee take this into account when seeking to resolve the matter with the landowner.

- 3.6 The Authority's Head of Ranger Services, who is the Navigation Officer for the Broads, has also made the following comments:

As set out in section 3 'Issues' above, this area is one of the busiest stretches of water on the Broads with the greatest range of craft using the area including trip boats, a range of private craft, yachts, hire boats, day boats along with canoes and paddleboards. This location has a high number of hire craft and while each helm would have undergone an induction by the hire company for many navigating this stretch this will be their first experience of helming a vessel. In addition, the bridge immediately upstream of the location means boats use this area for turning, either waiting to access the bridge or turning to head back downstream.

Due to the high level of traffic in the area and the already narrow channel any encroachment into the river represents a real hazard to those boats navigating. Reduction in the width will lead to bunching of traffic and reduced room for manoeuvrability. Those vessels particularly at risk are smaller unpowered vessels such as canoes or even day boats who could find themselves trapped by larger vessels but smaller collisions and minor injuries are also likely under these conditions.

In addition, the area of new development is situated on a bend in the river. This means that vessels, particularly the larger trip boats, need room to swing out to navigate round the bend. This requires a greater width of river than on a straight section.

#### **4. Options for resolving the planning breach**

4.1 The Authority has a Local Enforcement Plan, which was adopted on 8 July 2016 and sets out its approach to dealing with enforcement matters. At paragraph 3.7 it states that

“...Whilst the law gives a Local Planning Authority strong legal powers to deal with breaches of planning control, in most cases the first choice of approach is to use negotiation to reach a satisfactory resolution in a timely manner. The negotiations would aim to achieve one of the following outcomes:

- To apply for retrospective planning permission if the development is acceptable and would have got planning permission in the first place; or
- To amend the development so it is acceptable and then apply for retrospective planning permission if the development is capable of being acceptable; or
- To amend the development so it is in accordance with the approved plans if the amendments are acceptable; or
- To remove the unauthorised development or cease the unauthorised use if the development is unacceptable and incapable of being made acceptable.”

4.2 In this case, it is clear that the development as built has resulted in an encroachment into the navigation and both the Navigation Committee and the Navigation Officer for the Broads have advised that this is unacceptable and there is clear conflict with development plan policies. In seeking to negotiate a resolution, therefore, it is clear that a retrospective application to regularise the position would not be appropriate, so it is necessary instead to consider whether:

- The development can be amended so it is acceptable and then an application can be made for retrospective planning permission; or
- The development should be amended so it is in accordance with the approved plan; or
- To development needs to be removed as it unacceptable and incapable of being made acceptable.

- 4.3 The encroachment into the navigation results from the pontoon being placed forward (ie closer to the river) than approved, plus the unauthorised build out of the peninsula of land. The impact of the former could be mitigated by the imposition of a restriction on length of vessels permitted to moor to the pontoon; the impact of the latter is harder to mitigate as it is a physical obstruction, but an agreement not to use it for mooring would prevent the situation being worsened (although Members might conclude that it is intrinsically unacceptable). There has been preliminary discussion with the agent for the landowners around the feasibility of a length restriction and Members will be updated verbally of the further comments. Were this to be acceptable the landowners would need to demonstrate to the satisfaction of the Navigation Officer that the moorings and the restriction could be effectively managed (including out of hours) to prevent encroachment.
- 4.4 The encroachment into the navigation results from the incorrect positioning of the pontoon and were it to be relocated to the approved position (ie as shown on the approved planning drawing) this would resolve this issue, although it would not address the matter of the unapproved build-out. It is worth noting that the reason for the relocation of the pontoon forward of the approved position was to create more manoeuvring space in the basin to the rear, so reversion to the approved plan is likely to present problems for the landowner, which may well have repercussions elsewhere. Whilst this is largely a matter for the landowner, it is useful to anticipate consequences and to be mindful that the objective of any action is to seek a resolution of a planning issue and not to punish the landowner. It should also be noted that the planning permission as issued does not specifically restrict the length of any vessel, relying instead on details shown on the approved drawing. Were vessels of over 10m length to be moored to the pontoon in its correct position this would result in encroachment and the Authority would rely on byelaws and the primary legislation to address this.
- 4.5 Finally, looking at the outcomes of options for negotiation in enforcement of planning control, if the development is intrinsically unacceptable and incapable of being made so then the Local Planning Authority (LPA) should be seeking its removal.
- 4.6 When determining which approach to take, at section 3 the Local Enforcement Plan outlines three guiding principles to be taken into account and these are expediency, proportionality and consistency.
- 4.7 In this case, planning officers are of the view that breach of planning control by the location of the pontoon is not so fundamental as to constitute development which is wholly unacceptable and that, conversely (and as noted by Navigation Committee) the investment in the facilities is welcome. The encroachment into the navigation, however, must be addressed and it is considered that this can be satisfactorily achieved through agreement on a maximum vessel length on the new pontoon plus an agreed configuration for

moorings plus a scheme for managing this. This will need to be the subject of discussion between officers and the landowners and/or their agent.

4.8 The matter of the build-out is not so easily remedied and it is likely that this will need to be removed, and this too will need to be the subject of discussion.

4.9 It is considered that this is a proportionate approach relative to the harm being caused, which it seeks to remedy, and an expedient means of achieving the protection of the navigation. Should negotiations not fail to achieve agreement in a timely manner it will be necessary to refer the matter back to the Planning Committee for further consideration.

## 5. **Conclusion and recommendation**

5.1 While the Authority welcomes the continued investment in the site by one of the largest hire boat operators, the encroachment of this unauthorised development into the navigation area is deemed unacceptable. It is recommended that the Planning Committee authorises officers to negotiate the restriction on the vessel length, an agreed mooring configuration, a scheme of management in respect of the pontoon, and the removal of the build-out.

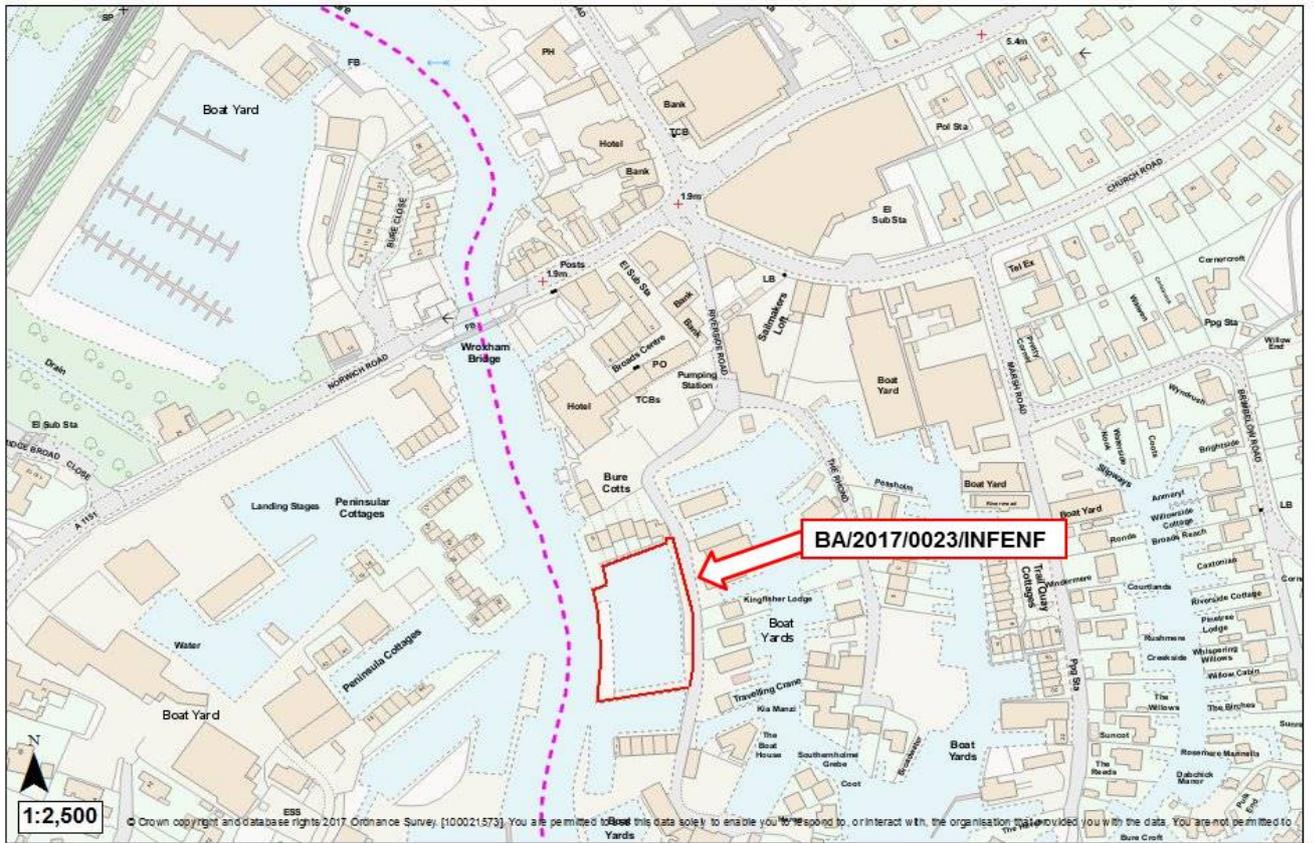
Background papers: BA/2017/0155/FUL

List of Appendices: Appendix 1 Location Plan  
Appendix 2 Photographs

Author: Cally Smith  
Date of report: 18 December 2017

Broads Plan Objectives: None

BA/2017/0023/INFENF - Barnes Brinkcraft Site



APPENDIX 2





**Enforcement Update**  
Report by Head of Planning

**Summary:** This table shows the monthly updates on enforcement matters.

**Recommendation:** That the report be noted.

**1 Introduction**

1.1 This table shows the monthly update report on enforcement matters.

<b>Committee Date</b>	<b>Location</b>	<b>Infringement</b>	<b>Action taken and current situation</b>
10 October 2014	Wherry Hotel, Bridge Road, Oulton Broad –	Unauthorised installation of refrigeration unit.	<ul style="list-style-type: none"> <li>• Authorisation granted for the serving of an Enforcement Notice seeking removal of the refrigeration unit, in consultation with the Solicitor, with a compliance period of three months; and authority be given for prosecution should the enforcement notice not be complied with</li> <li>• Planning Contravention Notice served</li> <li>• Negotiations underway</li> <li>• Planning Application received</li> <li>• Planning permission granted 12 March 2015. Operator given six months for compliance</li> <li>• Additional period of compliance extended to end of December 2015</li> <li>• Compliance not achieved. Negotiations underway</li> <li>• Planning Application received 10 May 2016 and under</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
			<p>consideration</p> <ul style="list-style-type: none"> <li>• Scheme for whole site in preparation, with implementation planned for 2016/17. Further applications required</li> <li>• Application for extension submitted 10 July 2017, including comprehensive landscaping proposals (BA/2017/0237/FUL)</li> <li>• <b>Further details under consideration.</b></li> </ul>
3 March 2017	Burghwood Barns Burghwood Road, Ormesby St Michael	Unauthorised development of agricultural land as residential curtilage	<ul style="list-style-type: none"> <li>• Authority given to serve an Enforcement Notice requiring the reinstatement to agriculture within 3 months of the land not covered by permission (for BA/2016/0444/FUL;</li> <li>• if a scheme is not forthcoming and compliance has not been achieved, authority given to proceed to prosecution.</li> <li>• Enforcement Notice served on 8 March 2017 with compliance date 19 July 2017.</li> <li>• Appeal against Enforcement Notice submitted 13 April 2017, start date 22 May 2017 (See Appeals Schedule)</li> <li>• Planning application received on 30 May 2017 for retention of works as built.</li> <li>• Application deferred pending appeal decision.</li> <li>• <b>Application refused 13 October 2017</b></li> </ul>
31 March 2017  26 May 2017	Former Marina Keys, Great Yarmouth	Untidy land and buildings	<ul style="list-style-type: none"> <li>• Authority granted to serve Section 215 Notices</li> <li>• First warning letter sent 13 April 2017 with compliance date of 9 May.</li> <li>• Some improvements made, but further works required by 15 June 2017. Regular monitoring of the site to be continued.</li> <li>• Monitoring</li> </ul>

Committee Date	Location	Infringement	Action taken and current situation
			<ul style="list-style-type: none"> <li>• Further vandalism and deterioration.</li> <li>• Site being monitored and discussions with landowner</li> <li>• Landowner proposals unacceptable. Further deadline given.</li> <li>• <b>Case under review</b></li> </ul>

## 2 Financial Implications

2.1 Financial implications of pursuing individual cases are reported on a site by site basis.

Background papers: BA Enforcement files  
 Author: Cally Smith  
 Date of report: 14 December 2018  
 Appendices: Nil

**Consultation Documents Update and Proposed Responses**  
Wroxham Neighbourhood Plan Sustainability Appraisal Scoping Report

Report by Planning Policy Officer

<b>Summary:</b>	This report informs the Committee of the Officers' proposed response to planning policy consultations recently received, and invites any comments or guidance the Committee may have.
<b>Recommendation:</b>	That the report be noted and the nature of proposed response be endorsed.

**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 endorsement, comments or guidance are invited.

**2 Financial Implications**

- 2.1 There are no financial implications.

Background papers: None

Author: Natalie Beal  
Date of report: 14 December 2017

Appendices: APPENDIX 1 – Schedule of Planning Policy Consultations received  
Wroxham Neighbourhood Plan Sustainability Appraisal Scoping Report

### Planning Policy Consultations Received

<b>ORGANISATION:</b>	Wroxham Parish Council
<b>DOCUMENT:</b>	Wroxham Neighbourhood Plan Sustainability Appraisal Scoping Report
<b>LINK</b>	Sent to specific stakeholders.
<b>DUE DATE:</b>	5.00pm on Monday 8th January 2018
<b>STATUS:</b>	Scoping Report
<b>PROPOSED LEVEL:</b>	Planning Committee endorsed
<b>NOTES:</b>	<p>The Parish Council has made the decision that a Sustainability Appraisal will help them to address the Basic Conditions for Neighbourhood Planning, namely that the plan contributes to sustainable development and that it complies with European Union obligations relating to the environmental assessment of plans and programmes.</p> <p>The Scoping Report is well presented and logical in its summaries and conclusions.</p> <p>The following comments are made on the SA Scoping Report:</p> <ul style="list-style-type: none"> <li>• Page 2, paragraph starting 'The parish of Wroxham...'. The Broads is not a National Park for planning purposes – it has the status equivalent to a National Park. Also, throughout the document there is little reference to Hoveton and the close proximity of the settlements and the reliance of one settlement on the other is clear. Is this the section where more can be said about the relationship with Hoveton?</li> <li>• Bottom of page 3. There are other documents that should be referred to, similar to the BDC section. These are the Development Management DPD (2011) and the Sites Specifics Local Plan (2014). The latter document has policies relating to Wroxham including a development boundary.</li> <li>• Draft vision on page 8 – not all of Wroxham is a conservation area; there are some parts not within the designation. Is the relationship with Hoveton worthy of a mention here?</li> <li>• Draft objectives, page 8. Is locally generation traffic an issue to consider as well?</li> <li>• Environment objectives page 9. There is no mention of landscape. Also care needs to be taken regarding general statements of promoting access to the river and Broads for recreation – the issue of recreation disturbance of European Protected species is one to consider.</li> <li>• Section 2. Is the scoping report of the Greater Norwich most recent Sustainability Appraisal and the Scoping Report, Interim SA, Preferred Options SA and Publication SA of the Broads Local Plan of relevance to this section? These are the most up to date SA documents.</li> <li>• Page 11, under district. There is a Flood Risk SPD<sup>1</sup> for the Broads, there is the Broads Plan<sup>2</sup> which is the key management plan for the Broads Authority Executive Area, there are adopted guides<sup>3</sup> as well as much evidence<sup>4</sup> produced to support the Local Plan.</li> <li>• The Broads has a local list which is here: <a href="http://www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-">http://www.broads-authority.gov.uk/planning/Other-planning-issues/protected-buildings/broads-</a></li> </ul>
<b>PROPOSED RESPONSE:</b>	

<sup>1</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0006/917844/Broads-Flood-Risk-SPD-Final-March-2017.pdf)

<sup>2</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0012/976728/Broads-Plan-2017.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0012/976728/Broads-Plan-2017.pdf)

<sup>3</sup> <http://www.broads-authority.gov.uk/planning/Planning-permission/design-guides>

<sup>4</sup> <http://www.broads-authority.gov.uk/planning/planning-policies/development/future-local-plan/evidence-base>

	<p><a href="#">local-list-of-heritage-assets</a>. There are some waterside bungalows and chalets on the Local List as well. These are not yet on the website, but we can provide information if needed:</p> <ul style="list-style-type: none"> <li>○ Southover, Wroxham</li> <li>○ Closeburn, Wroxham</li> <li>○ High House, Wroxham</li> <li>○ Cobwebs and Waterside, Wroxham</li> <li>○ Greenbanks, Wroxham</li> <li>○ Ennerdale, Wroxham</li> <li>○ The Glade, Wroxham</li> <li>○ Mallards, Wroxham</li> <li>○ Staithecote, Wroxham</li> <li>○ Sheerwater, Wroxham</li> <li>○ Campbell Cottage, Wroxham</li> <li>○ The Sheriff House, Wroxham</li> <li>○ Bureside, Wroxham</li> <li>○ The River House, Wroxham</li> </ul> <ul style="list-style-type: none"> <li>● Page 16 – we are not sure what serial views are. Is this a typographical error? If not, please can you explain? SPA designation is missing. It should read Keys Hill house not Keys Jill house.</li> <li>● Page 18 It is unclear why the Grey Partridge and the Turtle Dove have been selected as the Section 41 (previously known as BAP species) have been selected. An explanation might be useful. These are both farmland species, perhaps a river species such as otter or bats could also be relevant. Reference to the Biodiversity Audit and sensitivity mapping<sup>5</sup> would be appropriate.</li> <li>● Page 19 – the Broads Authority Landscape Character Assessment<sup>6</sup> is implied but not quoted specifically. There is no mention of the Landscape Sensitivity Study either<sup>7</sup>.</li> <li>● Page 20, Water and Flooding and map on page 56. There is now a 2017 SFRA<sup>8</sup> and there is more detail relating to flood zone 3 in the Wroxham area.</li> <li>● Page 22. Whilst not disputing what is said, the wording under the Fire and Rescue is different to the thrust of the wording used elsewhere. It is more of a statement rather than an explanation of that particular topic.</li> <li>● Page 22 when referring to Hoveton as a neighbourhood village – should this be neighbouring village?</li> <li>● Page 23 – you can find more up to date economic activity data relating to the Parish or Wroxham here: <a href="https://www.nomisweb.co.uk/">https://www.nomisweb.co.uk/</a> . Page 23 services this list is not complete there is the service station and shop, barbers, riverside glass and art, the Launderette, the canoe man, the bridge restaurant it either needs to be complete or state it is not exhaustive.</li> <li>● Local water quality is mentioned in P27, however pollution prevention from boat business need to be mentioned. The concentrations of copper in the river sediments are high in Wroxham.</li> <li>● Page 27 refers to Wroxham area of conservation this should read Wroxham</li> </ul>
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<sup>5</sup> [http://www.broads-authority.gov.uk/\\_data/assets/pdf\\_file/0020/412922/Broads-Biodiversity\\_audit\\_report.pdf](http://www.broads-authority.gov.uk/_data/assets/pdf_file/0020/412922/Broads-Biodiversity_audit_report.pdf)

<sup>6</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-character-assessments>

<sup>7</sup> <http://www.broads-authority.gov.uk/news-and-publications/publications-and-reports/planning-publications-and-reports/landscape-sensitivity-studies>

<sup>8</sup> Some maps area here, but other maps might show other parts of Wroxham. Please contact BDC for access to these other maps (if needed). <http://www.broads-authority.gov.uk/planning/planning-policies/sfra/sfra>

	<p>conservation area.</p> <ul style="list-style-type: none"> <li>• Section 4 – the list of key issues is very long. These seem to be copied from other SAs. Are they all applicable to Wroxham? And as mentioned previously, the BA and BDC have more recent SA scoping reports and SAs.</li> <li>• Section 5 – again, there are more recent scoping reports and SAs.</li> <li>• Page 49 – what is the year and source?</li> </ul> <p><u>General comments</u></p> <ul style="list-style-type: none"> <li>• Something else to consider is the treats posed by invasive non-native species, such as Himalayan Balsam which is a significant threat to the ecology of this area.</li> <li>• Despite the water quality resulting in failure of nature conservation, there is little mention of things that residents can do or ways that plan can connect people to the river environment, such as using less water which is abstracted from the river.</li> <li>• There is no mention of retaining low light and down lighting within the river corridor to create a dark river corridor for wildlife and it is important that this is added to the relevant section.</li> <li>• The link between health and access to the environment and the quality of the environment could be much more explicit.</li> <li>• In one part of the report it states there are no staithe on the tithe map but later it says ‘Castle Staithe alongside Caen Meadow on the River Bure has moorings, which are owned by the Parish Council’. This may need clarifying.</li> </ul> <p><u>Comments from Norfolk Geodiversity Partnership</u></p> <p>On reading the SA, we contacted the NGP as we were aware of some areas of interest in Wroxham. Contact is Tim Holt Wilson: <a href="mailto:timholtwilson@myphone.coop">timholtwilson@myphone.coop</a>.</p> <p>Hills &amp; Holes Wood at Wroxham is not one of the NGP’s audited sites. However that locality is definitely of geological interest. Woodward (1881 memoir) goes into it in some detail including an exposure diagram. He describes ‘a pit near Wroxham Park situated to the east of the Hall’ showing about 12 ft of Crag over Chalk. Norwich Crag marine sands and clays are apparently conformably overlain by Wroxham Crag sands and gravels (both units marine and fossiliferous). If this exposure is still extant it would be special from a research point of view. Although the Wroxham Crag sediment is similar in type to the Norwich Crag is has a distinctive lithology indicating the fluvial input of pebbles from the Midlands into the Crag basin, and the fossils indicate a definite shift to colder conditions. Any exposure of the contact between the two units is of scientific value for our understanding of the timer period about 1.75 million years ago. The Norwich Crag rests on chalk bedrock and this is another interesting feature for what it tells us about conditions on the Norwich Crag seabed, where the chalk was scoured and eroded by the sea. Interesting vertebrate fossils (terrestrial as well as marine) may sometimes be found in gravels in the basement bed. I have attached a copy of Woodward’s diagram. Anything to flag up the potential significance of geological exposures at Hills &amp; Holes and other sites around the farm buildings would be a help to geoconservation.</p>
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**Appeals to the Secretary of State: Update**  
Report by Administrative Officer

**Summary:** This report sets out the position regarding appeals against the Authority since May 2017.

**Recommendation:** That the report be noted.

**1 Introduction**

1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since May 2017.

**2 Financial Implications**

2.1 There are no financial implications.

Background papers: BA appeal and application files

Author: Sandra A Beckett  
Date of report: 14 December 2017

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since May 2017

## Schedule of Outstanding Appeals to the Secretary of State since May 2017

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
22 May 2017	<b>APP/E9505/C/17/3173753</b> <b>APP/E9505/C/17/3173754</b> <b>BA/2015/0026/UNAUP2</b> Burghwood Barnes Burghwood Road, Ormesby St Michael  Mr D Tucker Miss S Burton	<b>Appeal against Enforcement</b>  Unauthorised development of agricultural land as residential curtilage	Committee Decision 3 March 2017  Notification Letters and Questionnaire by 5 June 2017  Statement of Case sent by 3 July 2017  Inspector's site visit 12 December 2017

**Decisions made by Officers under Delegated Powers**  
Report by Head of Planning

**Broads Authority  
Planning Committee**

05 January 2018

Agenda Item No.13

Summary: This report sets out the delegated decisions made by officers on planning applications from 24 November 2017 to 14 December 2017  
 Recommendation: That the report be noted.

Application	Site	Applicant	Proposal	Decision
<b>Ashby With Oby Parish Council</b>				
<b>BA/2017/0366/FUL</b>	<b>Boundary Dyke Boundary Farm Boundary Road Ashby With Oby Norfolk</b>	<b>Mr D Cooke</b>	<b>Re-piling of boat dyke.</b>	<b>Approve Subject to Conditions</b>
<b>Brundall Parish Council</b>				
<b>BA/2017/0443/NONMAT</b>	<b>18 Riverside Estate Brundall Norwich Norfolk NR13 5PU</b>	<b>Mr Nick Phillipson</b>	<b>Alteration to piling line, non-material amendment to BA/2017/0327/HOUSEH</b>	<b>Approve</b>
<b>Cantley, Limpenhoe And Southwood</b>				
<b>BA/2017/0357/HOUSEH</b>	<b>White House Well Road Cantley Norwich Norfolk NR13 3AL</b>	<b>Mr And Mrs Simon Bunting</b>	<b>Two storey extension and conversion of roof space to bedroom</b>	<b>Approve Subject to Conditions</b>
<b>BA/2017/0255/FUL</b>	<b>Cantley Sugar Factory Station Road Cantley Norwich NR13 3ST</b>	<b>Mr Andrew Harris</b>	<b>Alteration to orientation of tank bund and new compressor station (amendment to permission BA/2017/0056/FUL)</b>	<b>Approve Subject to Conditions</b>

Application	Site	Applicant	Proposal	Decision
<b>Freethorpe Parish Council</b>				
<b>BA/2017/0380/LBC</b>	<b>Saint Andrews Church Church Road Freethorpe Norwich Norfolk</b>	<b>Wickhampton Parochial Church Council</b>	<b>Composting toilet.</b>	<b>Approve Subject to Conditions</b>
<b>BA/2017/0379/FUL</b>				<b>Approve Subject to Conditions</b>
<b>Hickling Parish Council</b>				
<b>BA/2017/0399/FUL</b>	<b>Pleasure Boat Inn Staithe Road Hickling NR12 0YW</b>	<b>Mr John Uff</b>	<b>Fridge and freezer area.</b>	<b>Approve Subject to Conditions</b>
<b>Langley With Hardley PC</b>				
<b>BA/2017/0395/HOUSEH</b>	<b>Rustygate Farm Hardley Street Hardley Norfolk NR14 6BY</b>	<b>Mr Pipe</b>	<b>Single storey rear extension.</b>	<b>Approve Subject to Conditions</b>
<b>Ludham Parish Council</b>				
<b>BA/2017/0362/HOUSEH</b>	<b>Manor Gates Staithe Road Ludham Norfolk NR29 5AB</b>	<b>Mr Tom Gabriel</b>	<b>New garage</b>	<b>Approve Subject to Conditions</b>

Application	Site	Applicant	Proposal	Decision
<b>Somerton Parish Council</b>				
<b>BA/2017/0386/NONMAT</b>	<b>Ivy House Horsey Road West Somerton Somerton Norfolk NR29 4DW</b>	<b>Mr R Davies</b>	<b>Alterations to windows and door, non-material amendment to BA/2016/0351/HOUSEH.</b>	<b>Approve</b>
<b>Thorpe St Andrew Town Council</b>				
<b>BA/2017/0360/LBC</b>	<b>Town House Hotel 18- 22 Yarmouth Road Thorpe St Andrew Norwich NR7 0EF</b>	<b>Mr Thomas Wynn</b>	<b>Internal alterations to suit introduction of Pizza Servery area within carvery area.</b>	<b>Approve Subject to Conditions</b>
<b>Wroxham Parish Council</b>				
<b>BA/2017/0400/HOUSEH</b>	<b>Mallards Beech Road Wroxham Norwich Norfolk NR12 8TP</b>	<b>Mr Anthony Clegg</b>	<b>Widen mooring, repair quay heading and boat shelter.</b>	<b>Approve Subject to Conditions</b>