

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 Strategic Services

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

APPENDIX 1

Code of Conduct for Members

Declaration of Interests

Committee: Planning Committee

Date of Meeting: 8 December 2017

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