

Planning Committee

Minutes of the meeting held on 10 January 2020

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Present

Melanie Vigo di Gallidoro – in the Chair, Harry Blathwayt, Jacquie Burgess, Bill Dickson, Andree Gee, Lana Hemsall, Tim Jickells, Bruce Keith, James Knight, Fran Whymark.

In attendance

Sandra Beckett – Administrative Officer (Governance), Natalie Beal – Planning Policy Officer (Minutes 9 – 12), Nigel Catherall – Planning Officer (Minute 8), Kate Knights – Historic Environment Manager, Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning.

Members of the public in attendance who spoke

Mr Paul Carrington – applicant for BA/2018/0514/FUL Water basin at Ludham field base site, Horsefen Road, Ludham.

1. Apologies and welcome

The Chairman welcomed everyone to the meeting. In particular she welcomed Kate Knights, the Authority's new Historic Environment Manager.

Apologies received from Julie Brociek-Coulton, Leslie Mogford and Vic Thomson.

Openness of Local Government Bodies Regulations 2014

The Chair gave notice that the Authority would be recording the meeting in accordance with the Code of Conduct, with the Authority retaining the copyright. No other member of the public indicated that they would be recording the meeting.

2. Declarations of interest and introductions

Members and staff introduced themselves. Members provided their declarations of interest as set out in Appendix 1 to these minutes in addition to those already registered.

3. Minutes of Planning Committee meeting held on 6 December 2019

The minutes of the meeting held on 6 December 2019 were approved as a correct record and signed by the Chairman.

4. Points of information arising from the minutes

Minute 13a 6 December 2019. Item of Urgent Business: Building worthy of listing Wroxham

The Head of Planning reported the application to list the building of Heronby, Beech Road Wroxham had been made to Heritage England and a standard acknowledgement had been received. Officers had posted the Building Preservation Notice on the afternoon of 6 December 2019, informed the landowner and the planning agent of the action that had been taken and explained the process. Officers met with the landowner on the 18 December 2019 and gained a better understanding of the work the landowner required. A further meeting was arranged for the week beginning 13 January 2020. The meetings and response from the landowner had been positive.

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

No matters of urgent business were proposed.

6. Chairman's announcements and introduction to public speaking

Public Speaking: The Chair stated that public speaking was in operation in accordance with the Authority's Code of Conduct for Planning Committee. Those who wished to speak were invited to come to the Public Speaking desk when the application on which they wished to comment was being presented

7. Requests to defer applications and/or vary the order of the agenda

No requests to defer or vary the order of the agenda had been received.

8. Applications for planning permission

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

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

(1) BA/2018/ 0514/FUL Water basin at Ludham Field Base, Horsefen Road, Ludham

Extension of mooring basin and realignment of site access from Womack Dyke, Applicant: Mr Paul Carrington

The Planning Officer gave a detailed presentation of the application for enlargement of an existing mooring basin, a repositioning of the access from the adjacent water body, and the provision of areas of reedbed. He explained that the site on Horsefen Road was within the Ludham Conservation Area and set within a series of boatyard developments adjacent to Womack Water. He commented that the principle of the development and issues of flood risk, amenity and highway safety were acceptable. The main issues for consideration were the impacts on the landscape, ecology relating to priority Section 41 Habitat and impact on trees. He explained that in the context of the boatyard group of development, the application reinforced the relationship between the land and water. There would be some loss of trees and those to be felled would require consent as they were within a Conservation Area, but the Tree Officer did not have an objection, since he considered they were not of sufficient value to warrant a Tree Preservation Order. There would be some loss of reed screen but this was not incompatible in the context and additional planting was included within the proposals.

With regard to the loss of peat, the applicant sought to address this through adequate mitigating measures and these complied with peat soils policy.

The Planning Officer concluded that the proposed development represented an opportunity for the owners of the former Ludham Field base site to upgrade the mooring provision to reflect current requirements. The improvement to the quality of the mooring provision would help to support the viability of the business. It would not have unacceptable adverse impacts on the landscape character or appearance, on designated sites, or the amenity of neighbouring residents. It was acknowledged that there would be an impact on ecology, but this was mitigated by on-site works as far as was achievable and a contribution to off-site works to provide biodiversity gain. The removal of peat solids was considered acceptable subject to swift reuse on neighbouring sites. The loss of Section 41 Habitat, whilst regrettable, was considered to be reasonably offset by a contribution to related projects such as reed bed creation and management projects. Therefore, the Planning Officer considered that the application was in accordance with policies of the Local Plan for the Broads and could be recommended for approval subject to a Section 106 Agreement to secure the financial contribution towards off-site biodiversity gain and subject to conditions as outlined within the report.

The applicant, Paul Carrington explained that the enlargement of the basis was to accommodate larger boats. There would be no net change in the overall number of moorings, which currently stood at 18. He also explained that the soil which could not be used on site would be transported by barge to an area of wet woodland to the north-west of the site. Having carried out extensive surveys, not all the soil would be peat. Much would be sand and silt which could remain on site. If the soil/peat could not be used immediately, it would be kept under tarpaulin so as not to dry out.

The Planning Officer commented that a couple of potential compensatory habitat sites had been identified, but more details and analysis would not be carried out until the principle of the acceptability of the proposal was resolved and consequent management agreed in association with the Section 106 Agreement. In response to a member's comment that the proposal appeared to be incompatible with policies supported by Natural England, the Planning Officer explained that Natural England had a bench mark criterion above which they would provide comments and no comments had been received.

Members congratulated officers on the excellent presentation and were encouraged and impressed with the thorough, sensitive attention and detailed analysis that had been gone into preparing the proposal. They welcomed the proposal as being valuable in the context of the area and that it would help maintain the viability of the business, particularly in line with the Authority's third purpose in protecting the navigation of the area. There was some concern over the loss of habitat and biodiversity which was regrettable, especially in light of the Authority's recent statement on climate change and the need to maintain carbon sink. They recognised that there was a conflict between employment, viability and habitat. A member wondered if there was a way of obtaining not just a net loss but also a net gain through offsetting.

The Head of Planning explained that in terms of the climate change emergency, matters were moving swiftly. The Local Plan for the Broads adopted in May 2019 contained Policy DM10 on Peat Soils, upon which there had been extensive discussions. The policy was in the early stages of implementation and this application was the first test for it. It was also necessary to be mindful of the advice within the NPPF which permitted off-site compensation. At present the NPPF made no mention of net gain. At present the policy was limited and there was no legal basis on which to require a net gain. Officers would work closely with the applicant to minimise the adverse impact and a calculation on the loss of material and the equivalent compensation required would be made. Officers would aim to achieve as much benefit as possible, but they were satisfied that no net loss could be achieved. The Head of Planning assured members that the policy would be reviewed as part of the Local Plan review.

Members supported the application. Bill Dickson proposed, seconded by Bruce Keith and

It was resolved by 9 votes to 0 with 1 abstention, to delegate to the Head of Planning to approve the application subject to the completion of a S106 Agreement to secure the financial contribution towards offsite biodiversity gain, along with the conditions outlined within the report.

The proposal is considered to be in accordance with Policies DM5, DM10, DM16, DM23, DM28, DM31, DM33, and DM47 of the Local Plan for the Broads, and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

9. Enforcement Update

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

Land at the Beauchamp Arms Public House, Ferry Road, Carleton St Peter: Unauthorised static caravans. There were four caravans on site which at present were not being used. The site was being monitored regularly.

Blackgate Farm, High Mill Road, Cobholm The Enforcement Notice was served on the landowner on 16 December 2019 by handing it to him in person. Officers were able to explain the Notice and the requirements to the landowner. The Enforcement Notice would take effect on 27 January 2020. The landowner commented that a planning application was being prepared. He was advised that he could appeal against the Enforcement Notice under Section 174 Grounds 2 (a) of the Town and Country Planning Act that planning permission should be granted for the development "alleged in the notice". It was likely that this would be the course of action he would take and correspondence was awaited.

It was resolved to note the report.

10. Flood Risk SPD Consultation responses

The Committee received a report on the responses to the first stage consultation on the Flood Risk Supplementary Planning Document (SPD) undertaken between 22 November and 16 December 2019. It also included a track changed version of the SPD as a result of the consultation and details of the next steps in the process. The review had been necessary since the policy upon which the Flood Risk SPD adopted in 2017 was no longer in place. The Environment Agency (EA) had been involved in the drafting of the SPD and had made further comments some of which needed clarification and may need further discussion, but the EA would be able to make further comments at the next stage. It was now proposed to have a second phase of consultation, as was required, potentially from 31 January to 6 March 2020.

With reference to Comments 14, 15 and 16 Suffolk County Council: Waveney Area now within East Suffolk, Members suggested that the wording should be changed to “the Waveney area within East Suffolk” rather than “the former Waveney Area”.

Reference to comments 33 and 34. Environment Agency: Raising floor levels for new residential development and building conversions to be above the actual risk design flood level. Members noted that further clarification was required from the Environment Agency. Officers confirmed that raising of floor levels could have an effect on the resulting roof and eaves levels of any proposed development and therefore the impact of that development. This would all be part of the planning discussions and the requirement for a balanced approach.

Reference Comment 48. North Norfolk DC and Anglian Water: Horning incidents of flooding and sewerage treatment. Members noted that North Norfolk District and Anglian Water together with the Environment Agency were addressing the matter. The Planning Policy Officer confirmed that the Joint Position Statement for Horning was being updated to reflect the work being undertaken by the respective relevant authorities, but the Flood Risk SPD would remain unchanged until this was updated.

It was resolved

- (i) that the responses received be noted with minor changes as suggested above and the Draft SPD be endorsed with any subsequent amendments as a result of discussions.**
- (ii) To recommend to the Broads Authority that it agrees to the required second stage of public consultation/participation.**

11. Climate Change Planning

The Committee received a report outlining the planning policy response to climate change mitigation and adaptation, following the Broads Authority’s adoption of a Climate Change Emergency Statement. The report set out how the Authority was working with other Local Planning Authorities in Norfolk and Suffolk to address the issues. The report also detailed Development Management policies within The Local Plan for the Broads, adopted in May

2019 which related to the mitigation of and adaptation to climate change. These included policies relating to water usage requirement and energy requirements for new dwellings, matters to reduce flood risk, protection of peat soil, policies to address light pollution, design policies and general policies relating to climate change. The Planning Policy Officer stated that since the formulation of the Local Plan in 2017, a great deal had happened nationally and internationally to do with climate change. However, as the plan was being reviewed towards the end of 2020, further progress on the requirements of the policies and climate change would be made in the next Local Plan. The report also referred to potential future changes to building regulations, upon which the Government was carrying out a consultation. It was noted that building regulations approval would be required for any development regardless of planning policy.

Members noted that recently a climate change sub-group of the Norfolk Strategic Planning Framework had been set up. This had identified a number of issues which Local Plans could address. A report on this would be going to the Norfolk Strategic Planning Member Forum on 14 January 2020. The Vice-Chair of this Committee would be attending as the Authority's representative. A Member requested that a link to the papers for this be sent to Members of the Planning Committee.

Members welcomed the report as being very helpful. A member suggested that there needed to be more consideration of the use and recycling of grey water and the Authority could be in a position to take more of a lead on this as well as through insisting on SUDS (Sustainable Urban Drainage Systems).

With regards to improvements to historic buildings, members commented that there could be conflict with updated insulation requirements and preservation of and impact on the heritage characteristics with a balance being required. The Head of Planning reported that this had been raised at the Heritage Asset Review Group and although there were policies within the Local Plan (Policy Dm 14) [Local Plan for the Broads Page 64 Policy DM14](#) these would be reviewed and the matter looked at with the possibility of providing guidance notes.

It was resolved to note the report.

12. Suffolk Design Briefing

The Committee received a report on the progress by the Suffolk Local Planning Authorities to develop useful and specifically functional design guidance for future development, a Suffolk Design Charter and to provide a consistent design management process. Broads Authority Officers had attended workshops and meetings in order to be engaged with Suffolk as much as possible. Once the documents were produced, the Authority would consider how they might be applied in the Broads.

It was resolved to note the work on design being prepared by Suffolk Local Planning Authorities.

13. Heritage Asset Review Group – 6 December 2019

The Committee received the notes from the Heritage Asset Review Group meeting of 6 December 2019.

It was resolved to note the report.

14. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since April 2019. The Senior Planning officer reported that a decision had been received on

The Thatched Cottage, Watergate, Priory Farm, Beccles Road, St Olaves for the erection of a dwelling. The site was in Flood Zone 3a and it had been proposed that the dwelling would be on stilts. The Planning Inspector dismissed the appeal citing the main reasons as the risk of flooding, impact towards the landscape character as a result of the design and harm to the setting of heritage assets and being contrary to the development plan when considered as a whole. Members had received a copy of the decision dated 8 January 2020.

It was resolved to note the report.

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 22 November 2019 to 17 December 2019.

It was resolved to note the report.

16. Date of next meeting

The next meeting of the Planning Committee would be held on Friday 7 February 2020 starting at 10.00 am at Yare House, 62- 64 Thorpe Road, Norwich.

The Head of Planning informed members that at the next meeting it was intended that Mike Burrell, Greater Norwich Planning Policy Team Manager would provide a presentation on the Greater Norwich Development Plan which was out for consultation. It was also intended to include a workshop on the Marketing and Viability Guide. SPD.

The meeting ended at 11.35 am.

Signed by

Chairman

Appendix 1 - Declaration of interests Planning Committee, 10 January 2020

Member	Agenda/minute	Nature of interest
Harry Blathwayt	8 Application BA/2018/0514/FUL	Very tentative inquiry to moor my boat on the site.
James Knight	14 Appeals to SOS update	Planning application subject of appeal.