

Broads Authority

Planning Committee

Minutes of the meeting held on 11 October 2013

Present:

Dr J M Gray – in the Chair

Mr M Barnard	Dr J S Johnson
Miss S Blane	Mr M Jeal
Mr N Dixon	Mr P Ollier
Mr C Gould	Mr J Timewell
Mrs L Hemsall	Mr P Warner

In Attendance:

Mrs S A Beckett – Administrative Officer
Mr S Bell – for the Solicitor
Mr F Bootman – Planning Officer
Miss M Hammond – Planning Assistant
Mr B Hogg – Historic Environment Manager
Ms A Kelly – Senior Ecologist
Ms A Long – Director of Planning and Resources
Mr A Scales – Planning Officer (NPS, Norfolk County Council)
Mr S French – for Highway Authority (Senior Engineer)
Ms C Smith – Head of Development Management
Ms K Wood – Planning Officer

Members of the Public in attendance who spoke:

BA/2013/207//FUL Land at Marton House, Low Road, Mettingham, Bungay

Mr Malcolm Dixon/	Agent
Mr Howard Birch	Architect for applicant

BA/2013/0170/FUL Broads Edge Marina, Mill Road, Stalham

Ms Sally Gibbs	Objector - Mill Cottage, Stalham
Mr Michael Pert	Agent for Applicant, David Phillip Investments Ltd.

BA/2013/0264/FUL Compartment 22 Right Bank of the River Chet Downstream of Pyes Mill Loddon and BA/2013/0163/FUL Mill Farm, Pyes Mill Road, Loddon

Mr J Halls (BESL)	Applicant – Environment Agency
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**BA/2013/0276/FUL Land at Pyes Mill Road, Loddon and
BA/2013/ BA/2013/0277/FUL Land at Church Farm, Hardley
Staithe Road, Langley with Hardley**

Mr W Coulet

For Applicant, PRISMA Project Manager,
Broads Authority

4/1 Apologies for Absence and Welcome

The Chairman welcomed everyone to the meeting including Mr M Jeal who had been re-appointed to the Authority by Great Yarmouth Borough Council.

Apologies were received from Mrs J Brociek-Coulton, Prof J Burgess and Mr R Stevens. Mr Dixon would be arriving later.

Mr Martin Broom

The Committee were informed of the sad loss of Mr Martin Broom who had been a member of the Authority for over thirty years and a valuable member of the Planning Committee for 28 years. Members stood for a minute in silence as a mark of respect.

4/2 Declarations of Interest

The Chairman declared a blanket interest on behalf of all members in relation to the applications considered at Minute 4/8 (5) BA/2013/0276/FUL and Minute 4/8(6) BA/2013/0277/FUL submitted by the Broads Authority.

4/3 Minutes: 13 September 2013

The minutes of the meeting held on 13 September 2013 were agreed as a correct record and signed by the Chairman.

4/4 Points of Information Arising from the Minutes

Minute 3/9(4): Site Visit, Marton House – 4 October 2013

In addition to the members of the Committee who were able to make the site visit on 4 October 2013, Mr Warner and Mrs Hemsall had also visited the site independently and had viewed the site from the same vantage points as those who had attended on 4 October 2013.

4/5 To note whether any items have been proposed as matters of urgent business

No items had been proposed as matters of urgent business.

4/6 Chairman's Announcements and Introduction to Public Speaking

(1) Broads Sites Specifics DPD

The Chairman informed the Committee that the Broads Site Specifics Development Policy Documents had been submitted to the Planning Inspectorate at the end of September 2013 and the pre-hearing had been arranged for 26 November 2013. The Hearing itself was due to be scheduled approximately four weeks after that date.

(2) Duty to Cooperate

The Chairman confirmed that as he had been appointed as the Authority's representative member on the Duty to Cooperate Forum, he had attended the first meeting of the Group at Norfolk County Council on 9 October 2013 (where all those present had agreed to cooperate).

(3) 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 revised Code of Conduct for Members and Officers, and that the time period was five minutes for all categories of speaker. Those who wished to speak were requested to come up to the public speaking desk at the beginning of the presentation of the relevant application.

4/7 Requests to Defer Applications and /or Vary the Order of the Agenda

There were no requests to defer applications.

4/8 Applications for Planning Permission

The Committee considered applications submitted under the Town and Country Planning Act 1990, as well as matters of enforcement (also having regard to Human Rights), and reached 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/2013/207/FUL Land at Marton House, Low Road, Mettingham, Bungay

Demolition of existing storage buildings and erection of two detached buildings providing office accommodation, ancillary staff facilities and secure storage in connection with existing builder's yard
Applicant: Mr Anthony Sprake

Members had had the opportunity to visit the site of the application on 4 October 2013, a note of which had been circulated. The Planning Officer provided a presentation, including photographs taken from the various vantage points of the site visit, together with a detailed assessment of the proposal to demolish existing storage buildings within an existing builder's storage yard on land at Marton House, Low Road Mettingham and the erection of two detached buildings, providing office accommodation (to replace the office accommodation within the house), ancillary staff facilities, and secure storage. It was pointed out that the builder's yard had been operating as such for a number of years and been granted a Certificate of Lawful Use in 2012. The footprint of the new buildings would be 225m² and the first floor accommodation would add a further 45m² new floorspace (not 80m² as indicated in the report).

The Planning Officer considered that the proposal would lead to an intensification of use and significant increase in build development to the east of the Wainford Road that would have a detrimental impact on the rural landscape character and inappropriate in such a location afforded equivalent landscape protection of a National Park. It was considered that the proposal would contrast with the largely rural residential and agricultural nature of this part of Low Road. Officers were of the view that the access was inadequate for the intensification of use although the Highways Authority had not objected on the grounds that there was a Certificate of Lawful Use for the operation. Therefore there was no justification for refusal on highway grounds. Although the applicant had offered to provide root protection for the notable trees on the site and additional landscaping, a tree assessment had not been received and it was still considered that not sufficient information relating to appropriate landscaping or biodiversity enhancements had been included that could justify granting permission. It was acknowledged that there would be employment benefits from the proposal, however, it was considered that it might be opportune for the applicant to reconsider relocating the business to an alternative location. In conclusion and on balance, the application was recommended for refusal.

The Historic Environment Manager explained that it was acknowledged that the Maltings complex was highly visible in the landscape but this was well established. The buildings to the west of Wainford Road were denser and more industrial. The area to the east, within which the application site was located, was more traditional, open and rural in character. With regard to pre-application discussions, the Head of Development Management explained that as the principle of an intensification of use was considered unacceptable and the recommendation would be for refusal, it would not have been in the best interests of the applicant to have discussed in great detail matters relating to landscaping and other matters.

Mr Dixon, the agent and Mr Birch, the architect for the applicant provided the model of the proposed buildings in the context of the

surrounding landscape. Mr Dixon thanked members for visiting the site. He emphasised that it was not considered that the proposal resulted in an intensification of use but was a consolidation of use. He referred to the Ward Councillor's comments in support of the application as detailed in section 3 of the report which stated that the proposal would enhance and improve the site and would be fully in accordance with the NPPF aims and objectives and met the Authority's Core Strategy policies CS1 and CS18. The commercial use was a stand-alone business with a Certificate of Lawful Use. Mr Dixon considered that the buildings proposed would be of an agricultural appearance that would blend into the landscape particularly with the rising land to the south which would help to mitigate any impact. The TPOs were welcomed but considered unnecessary. A tree survey had now been carried out and the applicant was prepared to provide root protection for the notable trees on site as well as additional landscaping. He was also prepared to accept conditions relating to ecological enhancements as well as remove the derelict farm shelter to the rear of the application site. He felt that the application was fully compliant with the NPPF guidance and would provide sustainability and therefore should be supported.

Mr Birch explained that the design of the buildings had been scaled down, would be of an agricultural appearance and was of the view that they would be of limited impact on the landscape particularly from the main road. The visual impact from the bridge on Wainford Road and other public vantage points could be mitigated in terms of aesthetics through the use of appropriate materials and colours in keeping with other agricultural buildings. The applicant was prepared to discuss these matters.

Members were of the view that this application was marginal and some policy interpretation was finely balanced. They were aware that if they were minded to grant permission this would be contrary to officer recommendation and therefore required very careful consideration in accordance with the Authority's Planning Committee Code of Conduct.

Members considered that the proposal met the criteria for Policy DP18 relating to the protection of employment and DP28 on the amenity of neighbouring properties and could provide improvements to the site. The policies at issue related to DP1 Natural Environment, DP2 Landscape and Trees and DP4 Design. Members accepted that the Maltings directly across the marshes from the proposal site was very prominent and that the landscape to the east was more rural and open in nature than that to the west. However, it was recognised that there was an established use for the operation and they considered that the design was as close as possible to the design of an agricultural building. Therefore, members considered that it was in accordance with the NPPF guidance for increasing the use of land for rural businesses with sustainable uses. Some members stated that they did not consider that the proposal would be so visibly intrusive as to warrant a refusal.

Some members did have some concerns over the access but it was recognised that there were no highway objections.

Members were of the view that with appropriate mitigation measures through the imposition of conditions relating to additional landscaping, tree protection, removal of the derelict farm buildings, appropriate materials and biodiversity and ecological enhancements, on balance the application could be approved.

Members did consider that in being minded to grant permission, there should be a Section 106 Agreement which ensured that the office use within the main residence was transferred to the builder's yard and that the main house was for residential use only. In addition, it was considered that permitted development rights should be removed. Members noted that the Certificate of Lawful Use specified the use that could take place and that any additional uses would require planning permission.

Dr Johnson proposed, seconded by Dr Gray and it was

RESOLVED unanimously

that authority be delegated to officers to approve the application subject to the prior completion of a Section 106 Agreement relating to the office accommodation being transferred from the dwelling house to the new accommodation within the builder's yard, and subject to appropriate conditions to cover:

- Standard Time Limit
- Details on Landscaping including replanting and to ensure trees were protected
- Details of materials
- Removal of the derelict farm buildings to the rear of the site
- Restricted opening hours Monday to Friday 7.00am - 5.30pm
And Saturdays 7.00am - 1.30pm with no operation on Sundays or Bank Holidays
- Ecological Enhancements/Biodiversity enhancements to be agreed
- Highways
- Surface water Drainage
- External Lighting
- Management Plan.
- Removal of Permitted Development Rights.

The application was considered to be in accordance with the NPPF and the Authority's Development Management Policies DPD particularly Policies DP18 and DP28 and subject to the above conditions, Policies DP1, DP2 and DP4. Members considered that in overturning the officer's recommendation they had given due weight to

the Authority's duty to consider the impact on the landscape in an area of special character and protection and the above conditions would provide appropriate mitigation of the potential landscape impact of the proposal.

The Solicitor confirmed that due process in accordance with the Authority's Planning Committee Code of Conduct Members and Officers had been adhered to.

- (2) **BA/2013/0170/FUL Broads Edge Marina, Mill Road, Stalham**
Provision of twelve camping pitches and the demolition of existing and erection of replacement toilet and shower building
Applicant: David Phillip Investments

The Planning Officer provided a comprehensive presentation and detailed assessment of the application for the demolition of an outdated existing toilet block and the timber shed associated with the existing workshop building, and the introduction of a new washroom building to serve the existing moorings and a proposed new, twelve pitch campsite which also formed part of the application and which would be located on amenity land at the eastern edge of a large marina site that accommodated approximately 300 boats. He explained that there were two accesses to the marina from Chapelfield Road and the other via the Staithe. It was proposed that the access to the proposed campsite would be separate from the marina access at the corner of the amenity area adjacent to Mill Cottage and would involve the loss of a section of hedge with some realignment.

Since the report had been written, three additional responses had been received which included a further letter of objection dated 4 October from Sally Gibbs circulated to all members of the Committee expressing concerns over amenity, landscape, highways and ecology, and the Local District Member with no objections.

The Planning Officer addressed the concerns in his assessment relating to the landscape impacts, amenity, ecology and highways as well as the potential cumulative impacts. In conclusion, the Planning Officer considered that the proposal was acceptable, and although the new wash block would be substantial it would provide improved facilities and the application would provide appropriate new tourism development in an existing tourism site. The application was not considered to result in any unacceptable impact on neighbouring occupiers as there would be limited views into the site and the tent pitches had been orientated to take account of that amenity. Although the loss of a limited part of the hedge for the camping field access was regrettable, it was considered that there would be appropriate mitigation measures in place to provide a buffer. The proposal was not considered to have any unacceptable impacts on the ecology or wildlife of the Broads, the safe functioning of the highway network and no detrimental impact on the landscape of the Broads. Consequently, the application was considered to be in accordance with Policies DP1,

DP2, DP4, DP11, DP14 and DP28 of the adopted DM DPD and recommended for approval.

Ms Gibbs was given the opportunity to address the Committee, outlining the concerns and objections expressed in her letter of 4 October 2013 which had been circulated to all members and stating that she felt that the scheme was inappropriate, contrary to policy and the Authority's previous decisions and would have a significant detrimental impact on the amenity of the area. She was particularly concerned about the impact on the tranquillity of this part of the Broads, and considered that the design of the wash block was at odds with the Authority's Policy DP4 in being three times the size of the existing. She considered that the proposals would have a negative impact on the Conservation Area. She also considered that if members were minded to grant permission, the access should be via the main Marina access which already existed and where there was already provision for parking so as to retain an ancient hedgerow and that there should be additional planting behind the existing gate. Vehicles should park on the main car park and not next to the tent pitches. However, she was still of the view that the application was inappropriate and would have a detrimental impact on neighbouring amenity.

Mr Pert, the agent for the applicant explained that throughout the development of the plans for the application, his clients had endeavoured to take on board the concerns and comments raised at various intervals. The present wash block was totally inadequate to serve the existing marina. The size of the wash block was therefore designed to provide upgraded facilities for the marina as well as the proposed 12 pitches of the campsite. The height of the building had been to reflect typical Norfolk vernacular although he conceded that it would be possible to reduce the pitch slightly. His client was prepared to discuss landscaping and have this in place by the gate access prior to removing part of the existing hedge. He explained that there had been discussions over the access. It had been considered to have the access to the proposed camping area from the main reception, but the quay heading in that area was weak and it would not be possible to gain access onto the field without demolishing the other buildings in the vicinity.

Mr French, Highways Authority, explained that he was mindful that the proposal involved the utilisation of an existing access and it would be very difficult to prove redundancy of that. The applicant had taken steps to mitigate the effects on the neighbour and therefore the regulations over the visibility splays due to the effect on the hedgerow had been relaxed. In examining the proposal, he could not see any grounds for sustaining a highway objection.

Members noted that the access into the present amenity area already existed. As part of the proposal, consent was not being sought for a new access but for change of use of the amenity area. However, members did have some concerns over the access arrangements,

given that some tents could be trailer tents and there could be difficulties over manoeuvrability. In addition, they could impact on amenity with height. Some members were also concerned about the design of the wash block and considered that this could be lowered in height. Members considered that there was room for improvement and that these should be negotiated with the applicants.

Given the various concerns expressed, Dr Johnson proposed, seconded by Mrs Hemsall, that the application be refused on grounds of scale, design and layout and landscaping and therefore the application at present was contrary to Policies DP4, DP28 and DP11.

Mr Jeal proposed, seconded by Miss Blane that the application be deferred for further negotiations. Dr Johnson withdrew his proposal.

On being put to the vote, it was

RESOLVED by 7 votes to 3

that the application be deferred for further negotiations with the applicant on the design, layout and scale of the proposed replacement toilet and shower building, and the proposed access as well as landscaping due to concerns in relation to policies DP4 Design, DP2 Landscape and Trees, DP11 Access on Land and DP28 Amenity.

Dr Johnson proposed, seconded by Mr Jeal, that prior to the application being referred back to the Committee for determination, the Committee visit the site and it was

RESOLVED by 5 votes to 2

that the Committee hold a site inspection prior to determination of the application and that this take place on Friday 25 October 2013 in order to examine the main issues relating to the application concerning Design, Layout, Landscaping, Access and Amenity.

(3) **BA/2013/0264/FUL Right Bank of the River Chet downstream of Pyes Mill, Loddon, Compartment 22**

Set back floodbank and associated material sourcing
Applicant: Environment Agency

The Planning Officer provided a detailed presentation of the application for flood defence and associated material sourcing from an area 32 metres in length, by 16 metres in depth, at the very western end of the River Chet, adjacent to the Pyes Mill amenity/picnic area and Broads Authority 24 hour moorings. It was clarified that this would enable flood defence works granted in May 2013 under BA/2013/0061/FUL to take place at the western end of the Compartment 22 without the need for clay importation. He explained that due to a misunderstanding between BESL and the landowner over detailed elements, there were now two

separate applications in relation to the same site. This application was for a flood bank and the landowner had submitted a separate application for change of use for the creation of a mooring basin, both associated with material sourcing.

In providing the assessment, the Planning Officer drew attention to the main issues relating to impact on landscape and ecological value, impact on navigation and impact on amenity. Since the report had been written additional consultation responses had been received from:

- Chedgrave Parish Council – no objections
- NSBA – no objections.

Comments from Norfolk County Council's Historic Environment Services were still awaited and in view of the fact that they were likely to require particular conditions, any consent granted would not be issued until their comments were received. The Planning Officer drew attention to the comments received from the Navigation Committee who supported the application subject to conditions including a clear indication of the navigation channel. In conclusion the Planning Officer recommended approval subject to appropriate conditions, as it was considered that the proposal was in accordance with the development plan Policies, particularly CS1, CS3, CS4, DP1 and DP28.

Members concurred with the officer's assessment although did have concerns over the river bank profile and requested an additional condition in that the final river bank profile should be agreed to the satisfaction of the Broads Authority's Rivers Engineer.

RESOLVED

that officers be given delegated authority to approve the application subject to conditions as outlined within the report and any further required from Historic Environment Services, with the addition of the profile of the excavation being to the satisfaction of the Rivers Engineer and an Informative as set out in the report to Committee.

(4) **BA/2013/0163/FUL Mill farm, Pyes Mill Road, Loddon**

A full planning application for the construction of timber walkways, a new gravel car park and approval for 2no. public moorings and 7no. private moorings

Applicant: Mr Paul Mattocks

The Planning Officer explained that the application was for a change of use to provide new moorings in a site approximately 2ha in area within a small farm and on the South bank of the River Chet, downstream from Loddon where there was a variety of different types of moorings, including BA 24 hour moorings. She explained that the application for the excavation of a mooring basin, although separate from, was associated with the material sourcing exercise undertaken by BESL

(BA/2013/0254/FUL) to help build up the flood bank adjacent to the site and dealt with at Minute 4/8(3). Since writing the report, amended plans had been received which provided for the excavation of the basin to the depth of the river. The moorings were intended to be stern on with seven private moorings nearer Loddon to the west and two visitor moorings to the eastern end of the basin. The application also included timber walkways/jetties, access and car park. In addition to support from the Parish Council, Environment Agency, Natural England and Highways subject to conditions, the Navigation Committee supported the application subject to a condition that a restriction be placed on the length of boats permitted to use the moorings and that this be limited to a maximum of 10m² to ensure sufficient visibility and manoeuvrability, as well as awareness signs to improve navigational safety.

The Planning Officer considered that the application as a whole was acceptable as it would not have an adverse impact on navigational safety, highways safety, neighbouring amenity and biodiversity of trees. However, there would be an adverse impact on the local landscape but it was considered that the development was limited in nature and the benefits of the proposal outweighed this impact and would not prejudice the objectives or integrity of the development plan.

Members concurred with the officer's assessment and noted that the application would need to be re-advertised as a departure from the development plan.

RESOLVED unanimously

that authority be delegated to officers to approve the application subject to the prior completion of a Section 106 Agreement regarding the public mooring element, no new issues arising as a result of the re-advertisement and the conditions outlined in the report together with Additional Informative notes required.

- (5) **BA/2013/0276/FUL Land at Pyes Mill Road, Loddon**
Temporary Flood embankment trial shaping of engineered dredged sediment into a flood bank profile
Applicant: Broads Authority

The Planning Officer explained that the proposal involved the creation of a 1.1 metres high bund as a trial to test a new technique for the creation of floodbanks using dewatered dredged sediment and would enable the geo-technical integrity to be initially tested. The bund was set back 80 metres from the river's edge and did not form part of the flood defence. Once the necessary analysis had been carried out, the bank would be dismantled and spread across farmland.

In conclusion, the Planning Officer recommended approval as the proposal would allow for a technique to create new floodbanks using dredged materials to be trialled, which if successful, may have significant use in the Broads area. It was considered that the proposal

was not inconsistent with development plan policy aims and would not have any unacceptable long term impact on landscape or other considerations.

Following more detailed explanations from Mr Coulet, the PRISMA Project Manager on the construction techniques involved, the analysis to be carried out and reassurances on the close cooperative working with the Environment Agency, members were satisfied that there would not be long term detrimental impacts on the landscape and that there would be positive benefits from the trials.

RESOLVED unanimously

That subject to no substantive representation / comment being raised from any outstanding consultees during the consultation period for this application, authority be delegated to officers to grant temporary approval of the application subject to conditions outlined within the report including the requirement of the removal of the floodbank by 31 July 2014.

(6) **BA/2013/0277/FUL Land at Church Farm, Hardley Staithe Road, Hardley**

Temporary flood embankment trial shaping of engineered dredged sediment into a flood bank profile
Applicant: Broads Authority

Similar to the previous application at Minute 4/8(5), the Planning Officer explained that the proposal involved the construction of a trial embankment set back about 120 metres from Hardley Dyke and not forming part of the flood defence. The proposal was linked to the PRISMA project as a new trial technique for the formation of floodbanks. The Planning Officer recommended approval on a temporary basis as the proposal would allow for a technique to create new floodbanks using dredged materials to be trialled, which if successful, may have significant use in the Broads area.

Members concurred with the assessment and considered that the proposal was not inconsistent with development plan policy aims and would not have any unacceptable long term impact on landscape or other considerations.

RESOLVED unanimously

that authority be delegated to officers to grant temporary consent subject to conditions outlined within the report including the requirement to remove the floodbank by 30 April 2014.

(7) **BA/2013/0259/FUL 39 Ditchingham Dam, Ditchingham**

Demolish existing single storey extension and replace with two storey extension
Applicant: Mr Ben Ruddle

The Planning Assistant explained that the application involved the replacement of a single storey extension with a two storey extension onto a two storey semi-detached dwelling. This formed part of three pairs of semi-detached dwellings parallel to and at the rear of a terrace from the highway of Ditchingham Dam. The Planning Assistant concluded that the application could be recommended for approval as although larger in footprint, the design and scale would not be out of character for the area or result in unacceptable impacts on neighbouring amenity and was in accordance with policies.

Members gained an appreciation of the complex layout of the semi-detached properties and having examined the application carefully concurred with the Officer's assessment. There was concern that being on the site of an old gas works, there could be a risk from land contamination which required assurances from the Environmental Health Officer.

RESOLVED

that the application be approved subject to conditions as outlined within the report and assurances from the Environmental Health Officer. The proposal was considered to be acceptable in accordance with Policies DP4 and DP28 of the adopted Development Management Policies DPD (2011) and Policy CS1 of the adopted Core Strategy (2007). It is also considered to be in accordance with the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

Variation in the order of the agenda: Members agreed to deal with Agenda Item 4/9(4) at this juncture due to the officer concerned having to leave for another appointment.

4/9 Consultations Update and Proposed Response

(1) Norwich Northern Distributor Road

The Committee received a report on the consultation document prepared by Norfolk County Council on the Northern Distributor Road together with the proposed Authority response. Members noted that this would comprise a length of 20km primarily dual carriageway road around the north of Norwich linking the A1067 Fakenham Road near Attlebridge to the A47 Trunk Road at Postwick. As a Nationally Significant Infrastructure Project (NSIP), the proposal would be determined by the Planning Inspectorate and the process was highly regulated and would require extensive pre-application consultation, of which the report formed a part. There would also be opportunity to comment at a later stage.

Members endorsed the officer's comments recognising that the proposal had the potential for significant indirect impacts on the Broads

relating to the effects of improved access, the new development enabled by the NDR and impact on habitats and species and on water abstraction and sewage treatment. Although there could be distinct benefits for the Broads in terms of improved access for visitors and tourism, there would also be increased pressures.

RESOLVED

- (i) that the Authority welcomes the benefits of the Norwich Northern Distributor Road in that it would provide improved access for visitors to the Broads but also has concerns over the increased pressures that it will provide;
 - (ii) that this comment together with those comments contained in the report (particularly in Section 4 paragraphs 4.1 to 4.6) be endorsed and forwarded to Norfolk County Council, particularly relating to the requirement to strengthen the landscaping and green infrastructure component and incorporation of enhanced biodiversity measures as well as consideration being given to biodiversity off-setting; and
 - (iii) that the Authority be involved in the development of mitigation strategies and the development of offsetting.
- (2) **Greater Norwich Development Partnership (GNDP) Joint Core Strategy Update and Proposed Responses to consultation on Marine Management Plan (MMO)**

The Committee received a report setting out the officers' proposed response to planning policy consultations recently received on the GNDP Joint Core Strategy and the Marine Management Plan and invited any comments or guidance the Committee may have.

GNDP Joint Core Strategy

Members noted the summary of the main modifications to the Joint Core Strategy mainly relating to the NDR and Postwick Hub and the two new policies suggested by PINS similar to those contained within the Authority's own Site Specifics. They noted that it was not proposed to provide a response to the consultation as the Authority would be involved to some extent on a specific Local Plan as well as being consulted.

Marine Management Plan

The Committee received a presentation and considered the draft comments already submitted on the Draft East Inshore and offshore Marine Plan from the Marine Management Organisation. They noted that the Marine Policy Statement was equivalent to the NPPF. It was noted that the majority of the issues in the MMO Plans were offshore and due to the very short stretch of coastline dealt with in the existing development plan there were no significant issues for the Broads

currently. However, some detailed comments were made including additional ones since the report had been written which were provided in the officer's presentation and these were endorsed, particularly with regard to providing greater emphasis on the need for improved references to the Broads, with reciprocal references being required of the MMO in the Broads Plan; that the Marine Plan policies be assessed against those of the Broads Plan policies to ensure consistency; inclusion of references to the various documents and DPDs in existence for the Broads and AONBs to include the Broads Landscape Character Assessment, Broads Plan and Broads Biodiversity Action Plan and Framework; the protected areas on the land within the Marina Plan area to be shown on the maps within figures 4a and 4b of the plan; and any applicants in formulating proposals to give consideration to the purpose of the nationally designated areas of the Norfolk Coast AONB, Suffolk Coast and Heaths AONB and the Broads adjacent to the East Marine Plan areas.

In endorsing the comments, members considered that the landscape impacts on the AONBs and the Broads of transmission infrastructure such as from off shore windfarms both over and underground should be given much greater emphasis.

RESOLVED

that the report be noted and the nature of proposed response be endorsed and given greater emphasis where appropriate.

(3) **Communities and Local Government Consultation: Changes to The Planning System**

The Committee received a report setting out the proposed response to the recent Communities and Local Government Consultation on the Changes to the planning system, including those relating to permitted development rights and retail and housing. The changes considered to have the most significant impact on the Broads related to those referring to existing buildings used for agricultural purposes of up to 150 square metres to change to residential use (C3) for up to three additional dwellings. Members were concerned that the conversion of village shops to residential use could impact on residents in the Broads whose only local shop could be close by, e.g. at Horning. Members also noted the proposed changes to the appeals procedures requiring the appellant to provide more details to the Authority and the Planning Inspectorate when first submitting their appeal.

RESOLVED

- (i) that the proposed response on the changes to the permitted development rights in paragraphs 2.1 to 2.6 of the report be endorsed and forwarded to the National Parks England as the Broads Authority's specific response to Government with the

comment that the Broads Authority nonetheless supports the provision of a more nuanced response to Government; and

(ii) that the remainder of the report be noted.

(4) Biodiversity Off-Setting

The Committee received a report and presentation from the Senior Ecologist and the Head of Development Management summarising the Government's proposal to introduce biodiversity offsetting and outlining the proposed response for submission to National Parks England for submission to the Government.

Members noted the principles of biodiversity off-setting, the complexity of the system required to introduce biodiversity off-setting and the proposed matrix and formula to be used. In particular members were concerned that the system was not used as a framework for allowing damage to ecosystems which could be avoided on the basis that it could be compensated for more easily elsewhere. In areas where the highest level of protection was awarded in specially designated areas, off-setting should only be considered in the most exceptional circumstances, as set out in the NPPF. It was recognised that many of the areas within the Broads would fall into this category.

Members endorsed the officers' report and welcomed the positive benefits which could be achieved where the Broads and the National Parks could be beneficiaries. They endorsed the principles set out in paragraph 5.6 of the report relating to the points upon which it was considered the Government should be mindful. They considered that offsetting also needed to take account of climate change as there was no justification in providing offsets in sites that may become inappropriate and unsustainable. Members fully supported the comments at Paragraph 5.1 relating to applying a monetary value as these did not provide the entire answer. They stressed that although the principles might be acceptable, the practical implementation of any biodiversity offsetting system required careful scrutiny, management and processing. Reference was made to Question 38 within the Green Paper which illustrated the complexity and further detailed thought required as well as an indication that consideration of changes to primary legislation might be needed. Although commenting that there were flaws in the scheme, a member hoped that it would provide a more considered approach to development especially in the use of brownfield sites.

RESOLVED

that the comments within the report be adopted as the Broads Authority's position on biodiversity off-setting.

4/10 Heritage Asset Review Working Group: Review and Update

The Committee received a report providing a review of the work undertaken by the Heritage Asset Review Group originally set up in January 2010 in response to the Cultural Heritage Review undertaken following the Planning Service being taken in- house. Members noted the considerable progress on a range of heritage issues including the Buildings at Risk, the Mills Strategy and the production of a Local List. They considered that the Group provided a very useful role in addressing specific and detailed issues relating to the cultural heritage of the Broads and that it should continue to do so reporting back to the Planning Committee as required in accordance with the Terms of Reference originally agreed. It was noted that in particular, considerable work in developing the Mills Strategy was required as well as the ongoing review of Buildings at Risk.

It was considered that it would be an opportune time for the Membership of the Group to be reviewed to enable other members the opportunity to sit on it. The group was comprised of the Chairman and Vice-Chairman of the Planning Committee, the heritage champion and two other members. The Chairman of the Authority reported that he had spoken to members of the group and Miss Blane was willing to step down to enable Mr Barnard the opportunity to be a member on the group.

RESOLVED

- (i) that the Heritage Asset Review Working Group be continued;
- (ii) that the terms of reference of the group and reporting mechanism be agreed as set out in the report and agreed in January 2010; and
- (iii) that Mr Barnard replace Miss Blane on the Group and that the membership be as follows:

Dr J M Gray (Chairman of Planning Committee)
Mr C Gould (Vice-Chairman of Planning Committee)
Mr M Barnard
Mrs J Brociek-Coulton
Dr J S Johnson

4/11 Enforcement Update

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

RESOLVED

that the report be noted.

4/12 Appeals to the Secretary of State: Update

The Committee received a schedule showing the position regarding appeals against the Authority since December 2012 as set out in Appendix 1 to the report.

RESOLVED

that the report be noted.

4/13 Decisions Made by Officers under Delegated Powers

The Committee received a schedule of decisions made by officers under delegated powers from 2 September 2013 to 1 October 2013.

RESOLVED

that the report be noted.

4/14 Date of Next Meeting

The next meeting of the Planning Committee would be held on Friday 8 November 2013 at 10.00am at Yare House, 62- 64 Thorpe Road, Norwich.

The meeting concluded at 14.50 pm

CHAIRMAN