

Planning Committee

Minutes of the meeting held on 16 July 2021

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Present

Melanie Vigo di Gallidoro – Chair, Harry Blathwayt, Stephen Bolt, Bill Dickson, Andrée Gee, Gail Harris and Tim Jickells

In attendance

Natalie Beal – Planning Policy Officer, Cally Smith – Head of Planning, Sara Utting – Governance Officer

Mike Burrell , Greater Norwich Planning Policy Manager, attended for item 8

Members of the public in attendance who spoke

None

1. Apologies and welcome

The Chairman welcomed everyone to the meeting.

Apologies were received from James Knight, Leslie Mogford, Vic Thomson and Fran Whymark.

Openness of Local Government Bodies Regulations 2014

The Chairman explained that the meeting was being audio-recorded. All recordings remained the copyright of the Broads Authority and anyone wishing to receive a copy of the recording should contact the Governance Team. The minutes remained the record of the meeting.

2. Declarations of interest and introductions

Members and officers introduced themselves and, where applicable, members provided their declarations of interest as set out in Appendix 1 to these minutes, and in addition to those already registered.

3. Minutes of last meeting

The minutes of the meeting held on 18 June 2021 were approved as a correct record and would be signed by the Chairman.

4. Matters of urgent business

There were no items of urgent business.

5. Chair'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.

6. Requests to defer applications and/or vary agenda order

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

7. Applications for planning permission

The Committee noted there were no applications for consideration.

8. Greater Norwich Local Plan – update

The Committee received a presentation by Mike Burrell, Greater Norwich Planning Policy Manager, which supplemented the report by the Planning Policy Officer, and provided greater detail on the update with progress on the Greater Norwich Local Plan. It was noted that the Plan had completed the Regulation 19 stage when people could make representations on the soundness and legal compliance of the Plan and it was now ready for submission to the Planning Inspectorate for examination in public, subject to two caveats. These were: actions on internationally protected habitats (Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy - GIRAMS) and the provision of sites for gypsies and travellers. The presentation covered: the process including dates for each stage; main issues for the Broads; reasons for updating the Plan; The Strategy; maps showing areas of growth and housing growth locations and a brief outline of the proposal for the East Norwich Strategic Growth Area.

Mr Burrell explained that visitor pressure as a result of growth in the greater Norwich area must not lead to the detriment of habitats and a tariff would be imposed (estimated at £185/dwelling) on developers to provide for protection measures, the detail of which would need to be agreed with Natural England prior to submission of the Plan. As this was a cross-boundary issue, the tariff would be applied throughout Norfolk. An example which had already happened elsewhere was at the North Denes in Gt Yarmouth where money had been spent on information boards for visitors to advise of the presence of ground nesting birds in the dunes to prevent them being disturbed. A key pressure for the Broads area was water resources and a very demanding policy had been set for water efficiency and the importance of water quality had also been taken into consideration. Anglian Water was the responsible authority and they had a Waste Water Management Plan which included upgrades to the treatment works at Whitlingham. In response to a question on how the money would be distributed, Mr Burrell advised that the details were not yet known but the funds had to be spent on protecting habitats which had an international designation. The Head of Planning added that the Authority was involved in a scheme with Suffolk County Council whereby the Authority received the tariff and it was passed onto Suffolk CC to be spent within an agreed framework. A report would be presented to a future Planning Committee meeting on GIRAMS as part of the Local Plan “bitesize pieces” report.

In terms of building standards, Mr Burrell explained that “Building for a Healthy Life” referred to good quality development which promoted active and healthy lifestyles. To meet the requirements of sustainable development, developments will need to provide a Sustainability Statement and demonstrate how, for example, everyday services could be accessed within 20 minutes without the use of a car. Going through Parliament at the moment was the Environment Bill which set a target of 10% bio-diversity net gain. Both Defra and Natural England had been working on a metric over the past 10 years as a means of measurement.

Developers could either demonstrate how they would provide net gain on-site or offset the costs for improvements elsewhere if not possible on-site. In response to a question on how close this would need to be to the original site, Mr Burrell stated that an example would be creating a bio-diverse area on the edge of fields near the site.

For the provision of strategic infrastructure, the Community Infrastructure Levy (CIL) would continue to be charged but likely to be as an Infrastructure Levy (IL) as part of the Government's plans, to be spent locally. The formula for calculating would use a national formula but with local criteria taken into account and depending on the profitability of the housing development.

In response to a comment on the potential conflict between tourism and the impact of transport on the environment, which emphasised the need for an effective rural bus transport system, Mr Burrell advised that the Plan would run in parallel with the Norfolk County Council Transport for Norwich and Market Towns Transport Initiatives as the County Council was the authority with responsibility for transport and they were part of the Greater Norwich Partnership. Regarding bridges, particularly those within the East Norwich development area, Mr Burrell advised that this was part of the Masterplan and as more sites came within the East Norwich Strategic Growth Area, there was now more of a critical mass. However, bridge replacement and/or new bridges was very expensive. The Head of Planning commented that a bridge accessing the Utility Site was essential to its development and there would need to be a pedestrian and bus link and possibly also a vehicular link. For the purposes of navigation, bridges were an issue for the Broads Authority, in terms of whether they were open or fixed, and the Broads Authority would not want to see the closure of one bridge creating a precedent for other bridges further downstream. Both Carrow Bridge and Trowse Rail Bridge were currently under discussion and it was important to have joint co-operation. Mr Burrell advised that Network Rail were involved in the Master-planning process.

A member commented that as the East Norwich site was close to the water, consideration should be given to the use of barges, as opposed to lorries, bringing in the building materials, both for environmental and logistical reasons. The Head of Planning responded that this could be considered as part of the Masterplan and advised that river transport had been looked at previously for the British Sugar plant in Cantley approximately 10 years ago.

In conclusion, it was noted that stakeholder events would be taking place next weekend for the East Norwich Masterplan and a public consultation event would take place over the summer at Carrow Abbey.

The Chair thanked Mr Burrell for his presentation.

9. Beccles Neighbourhood Plan – proceeding to referendum

The Planning Policy Officer (PPO) introduced the report on the outcome of the independent examination and proposed that the Authority supported the Beccles Neighbourhood Plan proceeding to referendum. Subsequent to receiving the Examiner's report, Beccles Town Council was originally proposing a number of significant changes but this would have required

going back to the Regulation 16 stage, with further consultation and a further examination by an Inspector. Therefore, the Town Council was now only proposing a minor change to the Plan which was factual and not considered to be a material change and could therefore be supported by the Authority. It was noted that the referendum was scheduled to take place on 16 September and, due to the legislation and regulations which guided the production of Neighbourhood Plans, combined with the Authority's programme of meetings, it might be difficult to bring the result of the referendum to the Planning Committee prior to a Broads Authority meeting for adoption. Therefore, it was considered pragmatic to report the result of the referendum directly to the next appropriate Broads Authority meeting, likely to be on 24 September.

Tim Jickells proposed, seconded by Andrée Gee, and

It was resolved unanimously to:

- 1) support the Examiner's report and support the Beccles Neighbourhood Plan proceeding to referendum;**
- 2) endorse the further changes proposed by Beccles Town Council and**
- 3) support the result of the referendum being reported directly to the Broads Authority at its next available meeting, likely to be on 24 September.**

10. East Suffolk Neighbourhood Plan Housing Methodology

The Planning Policy Officer (PPO) introduced the report which proposed a suggested approach to providing an indicative housing requirement to those Qualifying Bodies (eg neighbourhood groups – usually parish/town councils) who wished to plan for housing in their Neighbourhood Plans beyond that which was planned for in the Local Plan, and who asked East Suffolk Council for an indicative housing requirement. This was in accordance with paragraphs 65 and 66 of the National Planning Policy Framework.

Stephen Bolt proposed, seconded by Harry Blathwayt, and

It was resolved unanimously to endorse the approach for calculating an indicative housing requirement for Neighbourhood Plans in East Suffolk to be provided to those who ask for such a requirement.

11. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which provided a proposed response to a planning policy consultation recently received from South Norfolk Council on its South Norfolk Village Clusters Housing Allocations Plan

Andrée Gee proposed, seconded by Stephen Bolt, and

It was resolved unanimously to note the report and endorse the proposed response.

12. Local Plan Issues and Options Bite Size Pieces – July 2021

The Planning Policy Officer (PPO) introduced the report which provided members with some sections of the emerging draft Issues and Options stage of the Local Plan, as part of the review of the Local Plan, and inviting members' thoughts and comments. The areas covered were: the United Nations Sustainable Development Goals – Appendix 1; Visions and Objectives – Appendix 2; changes/standards that may be introduced by the Government – Appendix 3; About the Broads – Appendix 4 and Local Green Space – Appendix 5. The PPO advised that members would be presented with the final draft version of the Issues and Options to endorse it for consultation, at a later Planning Committee. It was noted that Appendix 1 would not form part of the Local Plan but was used as a background document to check against the objectives.

A member referred to Appendix 2 and the tension between tourism and sustainability and the importance of this being included in the document and particularly how the Authority would deal with it. He also referred to the issue of second homes and asked if there were any controls to limit the number and particularly preventing new homes being used as a second home. The PPO responded that the Authority currently had a strong policy approach but she could weave those two points into the revised Plan. The Head of Planning (HoP) commented that, when granting permission for new residential development, the Authority could in some circumstances restrict use to a main dwelling and not as a second home. The Authority's preference was for main homes and then holiday homes as they provided income generation for the local economy from visitors that tended to be over a longer/more sustained period than second homes as they were occupied longer. A number of years ago officers did look at the pattern of holiday uses which showed that these varied considerably across villages, ranging from <10% up to 80%. The member responded that his preference was for a vision and strategy as opposed to each application being considered separately. Another member referred to a recent discussion in Parliament about house clearance, which was particularly rife in National Parks. Tenants of rented residential properties were being encouraged to leave their properties to enable them to be used for holiday accommodation, particularly for Air B&B. He added that the opposite situation was experienced in his area, particularly Potter Heigham, where holiday properties were being occupied on a permanent basis and often these were unsuitable as a main residence, either because of their condition or location (ie in a Flood Zone 3a) and lack of suitable services, all of which could result in social costs. In response for clarity on how the Authority applied occupancy restrictions to ensure properties were not used as second homes, the HoP advised that this could only be applied to new developments for holiday homes. Owners of holiday lets would be required to maintain a register of bookings which would be open for inspection by officers and, where necessary, officers would investigate cases which were brought to their attention as having breached the occupancy conditions. Properties with holiday-let occupancy restrictions were also checked on an annual basis to ensure they were still used as holiday lets. Another member referred to the opposite scenario, where planning permission was not required to convert a dwelling into a holiday let, which he considered to be an anomaly as it was not always appropriate for

holiday lets to be situated in a settled residential community, particularly if they were let on a weekly basis.

In relation to Appendix 3 and the measure of at least a 10% gain to bio-diversity on the existing situation, a member questioned how this would be measured. The PPO responded that Natural England already had a metric in place and this would be used to measure improvements [The Biodiversity Metric 3.0 - JP039 \(nepubprod.appspot.com\)](https://nepubprod.appspot.com). The Authority could then impose conditions on permissions to ensure compliance with the measures. Another member referred to off-setting, when it would not be possible to achieve the 10% target on some developments, and how the metric would measure its success. The HoP responded that the metric had taken 10 years to develop and it would be challenging to implement and monitor. Members would be provided with details of the relevant websites etc. It was interesting to note there were links with other initiatives such as Farming in Protected Landscapes (FiPL) etc.

Gail Harris proposed, seconded by Bill Dickson, and

It was resolved unanimously to agree the comments above as the Committee's response on the draft sections of the Local Plan.

13. Enforcement update

Members received an update report from the Head of Planning Officer on enforcement matters previously referred to the Committee.

14. Acle: Change of use of land to stationing and use of caravan for residential purposes

The Head of Planning (HoP) introduced the report on the change of use of land to stationing and use of caravan for residential purposes on land to the north of Damgate Lane in Acle. The HoP also provided a detailed presentation, including photographs of the site. The site was not within a development boundary and to the north, south and east, the land opened out into agricultural and grazing land, with long views to Halvergate marshes to the east. The caravan was understood to have been brought onto the site in late 2020 and been in occupation since then. It was not connected to mains services. Officers had met with the occupant of the caravan and he had indicated that he did not intend to move it. The matter had also been referred to the relevant local and housing authorities who were also engaging with the occupier. The HoP reported that a further caravan had been seen by officers at the recent site visit which was near to the site of the caravan under consideration but this would be investigated as a separate matter. There had also been more development on site since the previous site visit a number of months ago which would need to be investigated.

In response to a question on whether the caravan would be removed if the occupier moved out, the HoP advised that this would not necessarily be the case as planning permission was not required to place a caravan on land providing it was moveable (ie on wheels) otherwise it became a permanent structure which would require permission. In terms of the occupancy,

the HoP advised that this would be permissible for up to 28 days as a temporary change of use and would be similar to holiday lettings, in that a judgement would need to be made on a use if and when it became more regular.

In assessing how to take this matter forward, members took into consideration whether the unauthorised development was acceptable in planning terms; whether it was capable of being made acceptable or whether it was unacceptable and accordingly, the expediency of taking enforcement action.

As the development was outside of any development boundary, residential development was considered to be unacceptable in principle and, due to conflict with policies DM35 and DM43 of the Local Plan, it was incapable of being made acceptable. By allowing the continuation of a residential use in an area where it would not otherwise be permitted would, in effect, be putting private interest over a public interest and this was not considered to be justified. Members were mindful of the significant impact for the occupier in having to find alternative accommodation as well as somewhere to put the caravan but also took into consideration the fact that he had been previously offered housing support by the local housing authority but had chosen not to take it. Accordingly, it was concluded that enforcement action to secure the cessation of the unauthorised development was proportionate. In terms of consistency, it was noted that a similar approach had been taken in other cases elsewhere (eg Blackgate Farm in Gt Yarmouth). A compliance period of four months was considered to be acceptable as this would enable the occupier to engage with the local housing authority in respect of his housing needs and avoid immediate hardship. It was noted that a 28 day notice period would be applied before the Notice became effective.

Bill Dickson proposed, seconded by Harry Blathwayt and

It was resolved unanimously to serve an Enforcement Notice with a compliance period of 4 months.

15. Appeals to the Secretary of State

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

16. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 7 June to 2 July 2021 and any Tree Preservation Orders confirmed within this period.

17. Date of next meeting

The next meeting of the Planning Committee would be on Friday 13 August 2021 at 10.00am.

The meeting ended at 12:06pm

Signed by

Chairman

Appendix 1 – Declaration of interests Planning Committee, 16 July 2021

Member	Agenda/minute	Nature of interest
Gail Harris	8	A Member of Norwich City Council which was a partner authority in the preparation of the Greater Norwich Local Plan.