

# Planning Committee

## Minutes of the meeting held on 18 August 2023

### Contents

1.	Apologies and welcome	2
	Openness of Local Government Bodies Regulations 2014	2
2.	Appointment of Chair	2
3.	Appointment of Vice-Chair	2
4.	Declarations of interest and introductions	2
5.	Minutes of last meeting	3
6.	Matters of urgent business	3
7.	Chair's announcements and introduction to public speaking	3
8.	Requests to defer applications and/or vary agenda order	3
9.	Applications for planning permission	3
	(1) BA/2023/0074, 75 & 76/FUL - Aldeby - Waveney River Centre	3
	(2) BA/2023/0015/FUL - Brundall Marina - Extension to create dry berths	10
10.	Enforcement update	13
11.	Trowse Neighbourhood Plan – Agreeing to consult	14
12.	Postwick with Witton Neighbourhood Plan – Area designation consultation	14
13.	Coastal Adaptation SPD Adoption	14
14.	Consultation responses	14
15.	Horning Knackers Wood Water Recycling Centre - Joint Position Statement update	15
16.	Local Plan - Preferred Options (bitesize pieces)	16
17.	Local Plan - Development Boundary Topic Paper update	17
18.	Appeals to the Secretary of State	18
19.	Decisions made by officers under delegated powers	18
20.	Date of next meeting	18

## **Present**

Harry Blathwayt – in the Chair, Stephen Bolt, Bill Dickson, Tony Grayling, James Harvey, Martyn Hooton, Tim Jickells, Kevin Maguire, Keith Patience, Melanie Vigo di Gallidoro and Fran Whymark

## **In attendance**

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Nigel Catherall – Planning Officer, Jane Fox – Planning Officer, Cheryl Peel – Senior Planning Officer, Cally Smith – Head of Planning – in the Chair until item 3 and Sara Utting – Senior Governance Officer

## **Members of the public in attendance who spoke**

Margaret Shelley the agent and Paul Spriggins, Director, Tingdene Holiday Parks Ltd both for item 9(1) – applications BA/2023/0074, 0075 & 0076/FUL- Aldeby - Waveney River Centre.

Peter Reeve, General Manager, Brundall Gardens Marina for item 9(2) – application BA/2023/0015/FUL - Brundall Marina - Extension to create dry berths.

## **1. Apologies and welcome**

The Chair welcomed everyone to the meeting.

**Apologies** were received from Leslie Mogford and Vic Thomson.

## **Openness of Local Government Bodies Regulations 2014**

The Chair 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. He added that the law permitted any person to film, record, photograph or use social media in order to report on the proceedings of public meetings of the Authority. This did not extend to live verbal commentary. The Chair needed to be informed if anyone intended to photograph, record or film so that any person under the age of 18 or members of the public not wishing to be filmed or photographed could be accommodated.

## **2. Appointment of Chair**

Harry Blathwayt was proposed by Bill Dickson and seconded by Tim Jickells.

**Harry Blathwayt was appointed Chair.**

## **3. Appointment of Vice-Chair**

Tim Jickells was proposed by Harry Blathwayt and seconded by Tony Grayling.

**Tim Jickells was appointed Vice-Chair.**

## **4. Declarations of interest and introductions**

Members indicated that they had no further declarations of interest other than those already registered.

## 5. Minutes of last meeting

The minutes of the meeting held on 21 July 2023 were approved as a correct record and signed by the Chair.

## 6. Matters of urgent business

There were no items of urgent business

## 7. Chair's announcements and introduction to public speaking

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

The Chair welcomed new Members James Harvey, Martyn Hooton, Kevin Maguire and Keith Patience to the Planning Committee. He also introduced Jane Fox, who had recently joined the planning team as a Planning Officer.

## 8. Requests to defer applications and/or vary agenda order

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

## 9. 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 decisions set out below. Acting under its delegated powers, the Committee authorised the immediate implementation of the decisions.

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

**(1) BA/2023/0074, 75 & 76/FUL - Aldeby - Waveney River Centre**

**BA/2023/0074/FUL Re-siting and re-design of eight holiday lodges and associated parking spaces and associated operational development. Creation of a landscaped area.**

**BA/2023/0075/FUL Provision of fifteen touring caravan/motor home/camping pitches (relocated from the central area of the River Centre), access and amenity area.**

**BA/2023/0076/FUL The siting of seven twin unit chalets (fourteen chalets) and associated parking spaces. Construction of new access road adjacent to the north-western boundary, to create one-way access arrangement. Extension and reconfiguration of existing car parking areas serving the River Centre and Marinas. Erection of new shower/toilet facilities. Removal of existing storage building and shower/toilet facilities.**

**Applicant: Tingdene Holiday Parks Ltd**

The Senior Planning Officer (SPO) provided a detailed presentation of the three applications associated with the Waveney River Centre. Application BA/2023/0074/FUL was related to a previous application, approved in 2007, that had granted 46 holiday lodges in total on the south-western edge of the site. BA/2023/0074/FUL proposed the re-siting and re-design of eight holiday lodges, associated parking spaces and associated operational development. Six of the new lodges were to be located at the western end of the access track in an area similar to the extant approval, while the remaining two would be further to the east on the south of the access track on an existing area of landscaping. This application included a new area of landscaping at the south-western end of the track beyond the six new lodges and the boundary with the neighbouring property, Old Staithe Cottage.

Application BA/2023/0075/FUL sought permission to create a camping area of 15 pitches, access and an amenity area including a toilet and shower block. This application would use land outside the existing site, on a field to the north of Burgh Road. This was a grassed area enclosed by hedges with tree belt along its northern boundary and the 15 pitches would be located along the southern boundary with vehicular access to Burgh Road approximately two-thirds along this boundary (travelling to the west).

Application BA/2023/0076/FUL related to the central area of the site and sought permission to reorganise this area by removing the storage building, existing shower block, all six camping pods, all seven yurts and the camping use (which was unrestricted and had been granted by a CLUED in February 1999). This application sought to replace the removed structures with seven twin unit chalets (fourteen chalets) and associated parking spaces, the construction of a new access road adjacent to the north western boundary to create a one-way access arrangement, the extension and reconfiguration of existing car parking areas serving the River Centre and marina and the erection of new shower/toilet facilities.

The presentation included a location map, a combined site map showing all 3 sites, an aerial photograph of the same, a detailed site map with the three sites marked, a detailed site map for each application, a map showing the previous 2006 site plan for the 8 lodges, the current proposal for the new lodges, various photographs of the sites, diagrams showing front, rear, side elevations and floorplans of the 3 styles of lodge, diagrams showing the front, rear and side elevations of the twin unit chalets and diagrams showing front, rear, side elevations and floorplan of the new W/C and shower block for the marina.

The SPO provided an assessment for each of the planning applications:

#### **BA/2023/0074/FUL assessment**

This application sought an amendment to an extant permission for eight holiday lodges by relocating them and updating their design and the principle of development was deemed acceptable. The design of the new lodges was modern and in keeping with the existing units and was deemed acceptable. As it was an extant permission there was no adverse impact on highways. There was no impact on ecology or flood risk; two of the new lodges would be located in Flood Zone 3 and their finished floor level had been raised so they would not flood during a design event.

The SPO concluded that the recommendation for BA/2023/0074/FUL was for approval subject to conditions detailed in section 8.1 of the report.

#### BA/2023/0075/FUL assessment

This application sought the relocation of the existing camping provision from the central area into a new location outside the existing site. This application had been submitted following pre-application discussions where the Local Planning Authority (LPA) for the Broads had indicated that their policies sought to maintain a variety of accommodation types from camping up to lodges and that it would be good to maintain camping at this site.

There was no objection from the Highway Authority following amendments to the visibility splays. The Authority's Tree Officer had confirmed he was content with the Arboricultural Impact Assessment (AIA) and its recommendations. The new access into what is currently a grassed field would involve the loss of 30m of priority hedge and the installation of hard surfacing and kerbing. The resulting development would have a disruptive effect on the strong sense of tranquillity associated with this remote location. In assessing the possible loss of camping at this site the SPO had identified various alternative providers within the surrounding Waveney valley and further afield at Geldeston, Oulton Broad and Lowestoft. In this case, it was considered that the benefits of provision of a lower cost accommodation type at the site were outweighed by their impact on the landscape. For this reason, the SPO concluded that the recommendation for BA/2023/0075/FUL was for refusal subject to the reasons detailed in section 8.2 of the report.

#### BA/2023/0076/FUL assessment

This application sought to remove some existing forms of accommodation and replace them with seven twin unit chalets (14 units) and simplify or "declutter" the central area of the site. An AIA and a Preliminary Ecological Appraisal had been submitted. It was acknowledged that there would be some loss of hedgerow and grassland and certain methods of construction had been conditioned to mitigate risk to existing tree roots. The new units would be located against the backdrop of the hedgerow and would be of a low profile design and the new shower block, a modest sized timber clad structure, would be situated against a backdrop of trees. The design and location of these new facilities would not be conspicuous from public vantage points and was considered to be in accordance with Policy DM16 of the Local Plan for the Broads. A Transport Statement had been submitted and the Highways Authority had confirmed there was no objection in terms of highway safety. All the new units would be located outside Flood Zone 3 and the Environment Agency had no objection.

The SPO concluded that the recommendation for BA/2023/0074/FUL was for approval subject to conditions detailed in section 8.3 of the report.

In response to a question the SPO confirmed that passing places had been installed on Burgh Road as a condition of a previous application, and, as there was no proposed increase in the number of units available, there would be no increase in traffic to that previously anticipated for.

A Member asked whether the Authority's pre-application advice had encouraged the BA/2023/0075/FUL application. The SPO responded that the Reasoned Justification for Policy DM29 sought, where appropriate, a variety of accommodation types from camping upwards. For this reason, when the applicant proposed the loss of camping from the existing site's central area the Authority had asked whether an element of camping could be retained, and the applicant's response was the application BA/2023/0075/FUL.

The Member asked whether there were other camping facilities within the area. The SPO indicated that there were a number of offerings along the Waveney valley; The Wildings, Glamp at the Priory, Feather Down College Farm and, further upstream, The Three Rivers at Geldeston.

A number of Members enquired about the impact of the existing unrestricted camping on traffic and number of units available. The SPO clarified that the Certificate of Lawful Use that currently permitted unrestricted camping within the existing site would be superseded by BA/2023/0076/FUL and negated in any case by the condition requiring "No camping in the open amenity area..."; the current 14 touring/camping pitches and unlimited camping would be replaced on the new site by the 15 new touring/camping pitches.

A Member enquired whether there were any landscape proposals to mitigate for the loss of the field associated with the 15 camping/touring pitches. The SPO indicated that a detailed landscaping scheme had been conditioned for BA/2023/0076/FUL and Members, if they were minded to approve BA/2023/0075/FUL, could condition a similar scheme for that application.

Margaret Shelley provided a statement in support of the three applications, commenting that Tingdene Holiday Parks purchased the Waveney River Centre, a long standing established tourism facility in the southern Broads, in 2021. The Waveney River Centre provided land based accommodation and, with its direct river frontage, recreational and permanent moorings on the River Waveney. Tingdene played a significant role in the local economy, having invested £34 million in the Broads with a further £5 million planned for the Waveney River Centre. This investment sought to improve the overall quality of the visitor experience and had resulted in the 3 planning applications before the Committee.

Ms Shelley addressed the relocation of the camping and touring pitches (BA/2023/0075/FUL), highlighting that their previous location would now be open space and that the new location ensured the diversity of tourism accommodation on offer. The resulting 15 pitches would not increase the available accommodation and, given that their previous location had unrestricted camping use, it would probably reduce the number available.

Ms Shelley drew Member's attention to Local Plan for the Broads Policy DM29 part a) that stated "New tourism and recreational development (including holiday accommodation) will be permitted where it is closely associated with an existing visitor attraction/tourism site...". Ms Shelley asserted that the Waveney River Centre was an established tourism site and that the application site, which immediately adjoined the River Centre and would re-use existing access links, was therefore closely associated with it.

Ms Shelley indicated that following consultation with the Norfolk County Council Highway Authority, the visibility splays had been reduced considerably enabling the re-use of an existing gap in the hedgerow with the loss of just one tree, some crown lifting and trimming back and avoiding the wider scale removal of the hedgerow. The Highway Authority had stipulated no left turn when exiting the site to avoid touring caravans travelling along Staithe Road and avoiding conflict at an existing 5 point junction with Church Lane.

Ms Shelley believed the application site, with its existing tree belt on the northern boundary and existing hedgerow, was well secluded with limited views to the wider landscape especially during the summer when this site would be used for seasonal touring and caravanning.

A detailed landscaping scheme would be proposed that could be conditioned; it had not been submitted previously due to the uncertainty associated with the Highway Authority's response to the application.

Ms Shelley made reference to the National Planning Policy Framework (NPPF) and in particular paragraph 84 that supported the creation and expansion of tourism development within the countryside as a sustainable means of the growing and diversifying the rural economy, and paragraph 85 that indicated that supporting the rural economy may include allowing development outside of development boundaries where it was appropriate to do so.

The Waveney River Centre was one of very few sites on the southern Broads that had direct access to the river and provided a range of accommodation for both land and water based visitors. It was an asset to Broads tourism that required enhancing and upgrading and needed to retain the diversity of its accommodation offering.

Ms Shelley did not agree that the proposal would have a cumulative impact on the landscape as there would be no additional tourism provided. This application involved the revamping and relocating of existing facilities to provide a better, less cluttered and safer environment for all visitors.

Ms Shelley believed the SPO had provided a comprehensive report on the other two applications and had nothing further to add. With regard to the existing camping offerings within the locality, Ms Shelley commented that the Three Rivers Pitch and Paddle at Geldeston had no direct river frontage. She concluded by hoping that Members would approve all three applications.

A Member enquired about how many camping pitches could currently be supported by the existing site. Ms Shelley responded that the previous owner had on occasion utilised the full extent of the open space to provide camping resulting in quite a lot of additional visitors.

Members noted that the new touring/camping pitches were located along the south-west boundary of the field and asked how the applicant proposed to utilise the remainder of the field. Ms Shelley indicated that the field would be used as an amenity for visitors and for ecological mitigation and an ecological assessment had been produced detailing how to manage this area for Biodiversity Net Gain. In response to a question Ms Shelley confirmed that the field up to the north and east boundaries was wholly owned by the applicant.

Members asked for clarification regarding a possible increase in light pollution. It was noted that a condition on BA/2023/0074/FUL was “No additional lighting without permission”. Mr Paul Spriggins confirmed that the low-level lighting associated with the existing touring/camping pitches would be relocated to the southern boundary of the new site, along the hedge demarcating the new touring/camping pitches.

Members welcomed the improvements associated with the new accommodation, the new more open layout of the existing site and the removal of the unrestricted camping on the existing site. A couple of Members indicated that they were familiar with the River Centre and recognised the need for improvements to long serving facilities and the ability to access the facilities from both land and river.

Members were conflicted over relocating the touring/camping pitches to their new location. Members acknowledged that this would be an intrusion into the landscape and were concerned about future development taking over the whole field. However, Members believed the field was well screened and that the remaining field offered potential for biodiversity improvements which could be achieved by conditioning which in turn could restrict, if not eliminate, future development.

The Head of Planning added that previous applications had needed to address conditions required by the Highway Authority and, if future applications resulted in additional vehicle movements, it was expected that the Highway Authority would raise objections.

A Member expressed concern that Suffolk Wildlife Trust had not provided a consultation response and was disappointed that officers could not confirm if they had been consulted. She was concerned that these developments would have a negative impact on Peto’s Marsh on the opposite side of the river to the site. Another Member responded that this development moved possible impacts further from Peto’s Marsh by reducing the density of accommodation nearest to the river and moving the camping pitches further to the west.

#### **BA/2023/0074/FUL vote**

Tim Jickells proposed to approve BA/2023/0074/FUL subject to conditions, seconded by Bill Dickson and

**It was resolved unanimously that planning application BA/2023/0074/FUL was approved subject to the following conditions:**

- **Time Limit**
- **In accordance with specified plans**
- **Occupation restriction to holiday accommodation**
- **No additional lighting without permission**

#### **BA/2023/0075/FUL vote**

A Member indicated that they believed that the landscape impacts associated with the relocated camping and touring pitches could be compensated for, using conditions, by



promoting a net gain in biodiversity. For this reason, they proposed that this application be approved subject to conditions, thereby proposing to overturn the officer recommendation.

The Senior Governance Officer (SGO) drew the Member's attention to section 7.4 of the [Code of Practice for members of the Planning Committee](#), that requires the reasons for a contrary decision to the officer recommendation to be clearly stated before a vote is taken. In addition, the officer should have the opportunity to explain the implications of the contrary decision.

The Member acknowledged the previous considerations associated with Policy DM29 (Sustainable tourism and recreation development) and given the value of the Waveney River Centre as an important and established facility to the Broads proposed to mitigate the impacts associated with Policy DM16 (Development and Landscape) described in the report by conditioning exemplary biodiversity enhancements and landscaping scheme to provide adequate compensation.

The HoP confirmed that improving tourism by providing low cost accommodation, additional biodiversity, improving facilities and promoting local business and the southern Broads were all valid material considerations and could be used to counter balance the landscape protection.

The HoP explained that an implication of accepting this application was that it could set a precedent whereby other sites might choose to move their existing camping pitches to adjacent sites. By acknowledging that this was an exceptional case and stipulating the implementation of adequate compensatory measures in regard to the impact on the landscape, the HoP believed that Members had reduced the likelihood of this approval setting a precedent.

The SGO, as the Monitoring Officer's representative, confirmed that the process as per section 7.4 of the [Code of Practice for members of the Planning Committee](#) had been correctly followed.

Stephen Bolt proposed, seconded by Martyn Hooton, that BA/2023/0075/FUL be approved subject to the same conditions as stated in 8.3 of the report with the exception of "No camping in the open amenity area as shown on the plans" and the replacement of "Notwithstanding the approved plans, no additional lighting without permission" with "A lighting plan".

**It was resolved by 9 votes in favour and 2 abstentions that planning application BA/2023/0075/FUL was approved subject to the following conditions:**

- **Time Limit**
- **In accordance with specified plans**
- **Highways conditions**
- **Biodiversity enhancements**
- **In accordance with AIA**

- **Occupation restriction to holiday accommodation.**
- **Landscaping scheme.**
- **In accordance with FRA and Flood Evacuation Plan**
- **A lighting plan.**

BA/2023/0076/FUL vote

Tim Jickells proposed to approve BA/2023/0076/FUL subject to conditions, seconded by Melanie Vigo di Gallidoro and

**It was resolved unanimously that planning application BA/2023/0076/FUL was approved subject to the following conditions:**

- **Time Limit**
- **In accordance with specified plans**
- **Highways conditions**
- **Biodiversity enhancements**
- **In accordance with AIA**
- **Occupation restriction to holiday accommodation.**
- **Landscaping scheme**
- **No camping in the open amenity area as shown on the plans.**
- **In accordance with FRA and Flood Evacuation Plan**
- **Notwithstanding the approved plans, no additional lighting without permission.**

## **(2) BA/2023/0015/FUL - Brundall Marina - Extension to create dry berths**

**Extension to existing boatyard to provide dry berths for boats and provision of hardstanding and car parking**

**Applicant: Mr Samuel Dacre**

The Planning Officer (PO) provided a detailed presentation of the application for an extension to existing boatyard to provide dry berths for boats and provision of hardstanding and car parking. The site was located opposite to Brundall Gardens Marina and would be an extension to this boatyard, with both locations accessed from West Lane, Brundall.

The presentation included a location map, a site map, an aerial photograph of the site, various photographs from locations overlooking the site at different times of year, a detailed site plan, aerial photographs depicting the growth of the Brundall Parish Allotments and Brundall Countryside Park (to the north of the railway line), a landscape plan of the site and additional landscape plan for land to the west of West Lane near its junction with Postwick Lane.

The PO explained that this application had been deferred from Planning Committee meeting on 31 March 2023 due to a late objection from Natural England (NE). The applicant had since provided a Construction and Environmental Management Plan, Flood Risk Assessment and Drainage Strategy which had been reviewed by NE and considered acceptable.

Since the report was published the PO had received an updated consultation response from the Authority's Landscape Architect raising the following concerns with the landscaping scheme:

- The tree and other plant sizes had been reduced and spacings increased.
- No trees were shown in the north-east and south-west corners where the meadow mix was located.
- The plan should have shown dimensions for the width of the planting areas and the spacings between specimen trees.
- The planting proposed to the east of the site was not shown on the revised plan.

In addition to the representations in the report the PO had also received a further comment asking "Do we need more boats in the Broads and even less grass land to soak up the CO2?".

The PO provided the assessment by indicating that the proposal was considered to be in kind with the existing marina business which provided mooring berths and some areas of dry boat storage and the proposal was considered acceptable in principle.

In terms of ecology no objection had been raised to the proposal subject to the mitigation and enhancements to be secured by planning condition.

A Habitat Regulations Assessment (HRA) had been performed and concluded that there would be no significant impacts on sites or species and this position had been accepted by NE. The site was over 140 metres from the nearest residential properties and it was considered that there would be no undue impact on residential amenity.

The Highways Authority had considered the proposal and raised no objection, considering it very unlikely that traffic to and from the site would increase appreciably by this proposal. They also noted that the railway bridge on West Lane made access by large vehicles or high boats impossible.

Regarding flood risk the proposed development would not impede flood waters or have an impact on flood storage capacity at the site and the proposed Drainage Strategy had been considered acceptable.

In terms of landscaping impact Brundall Parish Council had raised concerns regarding impacts to the Brundall Parish Allotments and nearby areas and the Authority's Landscape Architect had raised an issue with the amount of planting and the specimen sizes at the time of planting. The PO used aerial photographs to show the establishment of planting associated with the relatively new Brundall Parish Allotments and Brundall Countryside Park drawing attention to planting along their southern borders nearest the site. The PO then used photographs taken from points within Brundall Parish Allotments and Brundall Countryside

Park in spring and summer to demonstrate how effective the existing established planting and parts of the southern hedge boundary were at screening the site. The PO indicated that the proposed landscaping plan would complement and enhance what had already been established at the allotments and country park to the north of the site and would soften the appearance of the site within the landscape. Some views of stored boats would be possible however the site was adjacent to an established boat business and the presence of boats moderated by the landscaping scheme would not have an unacceptable impact on the surrounding landscape. The reduced specimen size of plants would mean their benefit would not be immediate however they would still prove effective given the established planting associated with the allotments and country park.

An additional area of planting was proposed for additional biodiversity enhancements on land owned by the applicant to the west of West Lane at its junction with Postwick Lane.

The PO concluded that the proposed development would not have an adverse impact on either landscape character or appearance, ecology and designated sites, highways or flood risk and there would be no undue impact on the amenity of neighbouring residents. The proposal was considered to be in accordance with Policies DM5, DM6, DM13, DM16, DM21, DM23, DM25 of the Local Plan for the Broads, along with the National Planning Policy Framework. The recommendation was to approve this application subject to conditions detailed in section 8.1 of the report.

A Member asked whether the large lighting columns in the original application for the Planning Committee on the 31 March 2023 were still present in this application. The PO responded that all lighting had been removed from the proposal.

In response to a question the PO confirmed that the applicant provided and maintained the concessionary footpath that ran along the northern boundary of the site.

A Member enquired whether the majority of boats to be stored would be removed from the river or would arrive via road. Mr Peter Reeve responded that the railway bridge over West Lane had a maximum height of 10 feet and this restricted the size of boats that could be delivered by road and as such they expected most boats to arrive and depart by water.

Members were keen to better understand the business model behind this application. Mr Reeve confirmed that this was a natural progression to their existing business and reflected the increasing demand for dry berthing of boats driven by a shortage of moorings. He added that removing boats from the water that were not being used regularly reduced their maintenance and mooring costs and indicated that some boats were expected to be stored for 2-3 years.

Tim Jickells proposed, seconded by Stephen Bolt and

**It was resolved unanimously to approve the application subject to the following conditions:**

- i. Standard time limit**
- ii. In accordance with approved plans**

- iii. Details of proposed surfacing
- iv. Details of landscape management plan
- v. Details of tree protection
- vi. Details of any proposed signage - position, size, and design
- vii. Timing of landscape planting and replacement where necessitated
- viii. No trees on site to be topped, lopped, uprooted, felled or in any other way destroyed
- ix. All mitigation measures should be followed from the Flood Risk Assessment and Construction and Environmental Management Plan
- x. Mitigation measures in 5.3.2. of the Ecological Report should be followed for mammals, birds and reptiles
- xi. The management of the planting proposed should follow all guidance set out in sections 7.1.1, 7.1.2 and 7.2 of the Flood Risk Assessment
- xii. The SuDS maintenance and operations plan as required under Section 7 of the Flood Risk Assessment
- xiii. Provision of 5 x bat boxes and 5 x bird boxes
- xiv. No external lighting
- xv. Storage of boats only, no operational works of repair or maintenance
- xvi. Stored boats must be stored with masts dropped

The Committee adjourned at 12:10pm and reconvened at 12:20pm.

Keith Patience left the meeting.

## 10. Enforcement update

Members received an update report from the Head of Planning (HoP) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

**Land at the Beauchamp Arms (Unauthorised static caravans):** The HoP introduced this item by providing a brief history of this matter for the benefit of new Members. At the recent court hearing the HoP confirmed that the operators pleaded 'not guilty' and chose to have their case tried in the Crown Court. The HoP explained that a Crown Court trial would prove more costly to the Authority (and operators) and no limits would be imposed on possible sentencing and fines. The HoP indicated that, if the prosecution was successful, the Authority would consider applying for a Confiscation Order, under the Proceeds of Crime Act 2002, to recover the financial benefit obtained through this unauthorised development. The next hearing was scheduled for 6 September 2023 at Norwich Crown Court.

## 11. Trowse Neighbourhood Plan – Agreeing to consult

The Planning Policy Officer (PPO) introduced the report, which sought agreement for public consultation to go ahead on the Trowse Neighbourhood Plan.

Melanie Vigo di Gallidoro proposed, seconded by Tim Jickells, and

**It was resolved unanimously to endorse the Trowse Neighbourhood Plan, Regulation 16 version for consultation.**

## 12. Postwick with Witton Neighbourhood Plan – Area designation consultation

The Planning Policy Officer (PPO) introduced the report, which detailed the application by Postwick with Witton Parish Council to become a neighbourhood area.

Stephen Bolt proposed, seconded by Martyn Hooton, and

**It was resolved unanimously to the designation of Postwick with Witton as a neighbourhood area.**

## 13. Coastal Adaptation SPD Adoption

The Planning Policy Officer (PPO) introduced the report, which provided the Coastal Adaptation Supplementary Planning Document (SPD), the associated consultation responses and the supporting Strategic Environmental Assessment, Habitat Regulations Assessment and Equality Impact Assessment. The SPD had been produced by East Suffolk Council, Great Yarmouth Borough Council, North Norfolk District Council and Broads Authority Planning Policy Teams as well as Coastal Partnership East Officers.

The PPO explained that the SPD was being reviewed by the associated Planning Committees of the 4 partner Local Planning Authorities prior to them adopting the SPD.

Tim Jickells proposed, seconded by Tony Grayling and

**It was resolved unanimously to:**

- **To endorse the Coast Adaptation SPD and recommend that the Broads Authority adopts the SPD.**
- **To authorise the Head of Planning, in consultation with the Chair of the Planning Committee, to make any presentational or typographical amendments to the Coastal Adaptation SPD prior to it being published.**

## 14. Consultation responses

The Planning Policy Officer (PPO) introduced the report, which documented the response to a consultation on the Thorpe St Andrew Neighbourhood Plan prepared by Thorpe St Andrew Town Council.

The PPO indicated that along with comments seeking clarification on a number of points she had raised two objections:

Policy 1 of the Neighbourhood Plan proposes that ‘Development should minimise the disruption of habitats and seek to conserve and enhance existing environmentally important...’ which was at odds with National Planning Policy Framework (NPPF) guidelines that propose ‘to protect and enhance our natural built and historic environment’.

Policy 8 of the Neighbourhood Plan proposed a weaker stance regarding the protection of the historic environment than the equivalent Local Plan for the Broads Policy SP5 (Historic Environment) and which would contravene NPPF guidelines.

A Member questioned the proposed amendment to Policy 2 to include sustainable and traditional materials as they believed this would restrain innovative design. The PPO responded that this change was not intended to stifle innovation but rather to strengthen design within a protected landscape. The Head of Planning added that Policy 2 required the use of “contextually appropriate high quality materials” which provided scope to use a range of materials to reflect the local landscape character.

Tony Grayling proposed, seconded by Bill Dickson and

**It was resolved unanimously to endorse the nature of the proposed response.**

## 15. Horning Knackers Wood Water Recycling Centre - Joint Position Statement update

The Planning Policy Officer (PPO) introduced the report, which provided an update on the Joint Position Statement (JPS) associated with the Knackers Wood Water Recycling Centre (WRC) at Horning. The PPO explained that any development within Horning that would result in an increase in foul water had been prohibited since 2016. This situation stemmed from the inability of the Knackers Wood WRC to cope with extreme events arising from river and/or surface water flooding. Since the original JPS was created between North Norfolk District Council (NNDC), Environment Agency (EA), Broads Authority and Anglian Water (AW) in 2017 AW had continued to investigate the cause of the problem. They had now concluded that river flooding and groundwater infiltration due to the porous soil conditions were the underlying cause of the WRC being unable to meet the foul water flows permitted by the EA licence. The PPO indicated that AW had withdrawn from the previous JPS as most of the problems were beyond their remit; The solution to the river flooding problems involved assets outside AW ownership, there was no immediate engineering solution to effectively mitigate the impact of excess surface water ingress and water industry regulations prohibited AW from entirely funding solutions.

The PPO confirmed that the updated JPS between NNDC, EA and the Authority continued to prohibit the same development as previously stated.

A Member asked, given recent negative media coverage regarding the UK water industry, whether the AW Statement of Fact could be taken at face value. The PPO indicated that AW

had taken remedial action to infrastructure within Horning, both theirs and privately owned, and there was nothing to suggest that the information supplied was not reliable.

Stephen Bolt proposed, seconded by Martyn Hooton, and

**It was resolved unanimously to endorse the updated Horning Knackers Wood Water Recycling Centre - Joint Position Statement.**

To benefit from the maximum number of Members in attendance to participate in the associated vote it was agreed to take item 17 at this point.

## **16. Local Plan - Preferred Options (bitesize pieces)**

The Planning Policy Officer (PPO) presented the report which detailed twelve new or amended policy areas that were proposed to form part of the Preferred Options version of the Local Plan. The PPO proposed to discuss each section of the report in turn and welcomed Members' feedback.

### **EV charging points design**

This new policy had been revisited and updated to ensure that the design and lighting of EV charging points was considered.

### **Policy DIL 1: Dilham Marina (Tyler's Cut Moorings)**

This policy had been updated to clarify some of the content.

### **Landscape character**

A number of policies associated with this policy area had been updated.

Policy SP7 (Landscape character) had been updated to include seascape and to better reflect its strategic nature and importance to the Broads as equivalent to a National Park.

Policy DM16 (Development and landscape) had been strengthened, some wordings made clearer and to acknowledge that the East of England was an area of water stress and for landscape schemes to consider this accordingly.

### **Policy DM37: New residential moorings**

As well as some clarifications, this policy had been updated to reference cycle parking, dark skies and cabinet storage. The need for a Flood Risk Assessment had also been emphasised.

There was a discussion on the Residential Moorings needs assessment and the PPO confirmed that the figure stated in DM37 had been produced using the same methodology as previously and that the result of the associated call for sites would be presented at a future Planning Committee.

### **Policy DM39: Residential ancillary accommodation**

The possible mitigation to ensure Nutrient Neutrality had been included in this policy.



#### Policy DM40: Replacement dwellings

A need to encourage/promote the re-use or adaptation of buildings before their demolition on the grounds of reducing carbon emissions had been introduced to this policy. The PPO confirmed that replacement dwellings were not the same as displaced dwellings.

#### Policy GTY1: Marina Quays (Port of Yarmouth Marina)

The PPO explained that this development had not yet been built however this policy would continue to be maintained to ensure it was up-to-date. Biodiversity Net Gain (BNG) and Green Infrastructure and Recreational impact Avoidance and Mitigation Strategy (GI RAMS) had been included in the policy.

#### Policy HOV1: Green infrastructure

The PPO indicated that Wroxham Parish Council had requested a new area be included when the current Local Plan was examined in 2019. This area had been included in the policy ready for consultation with stakeholders and the public.

#### Policy HOV4: BeWILDerwood Adventure Park

Slight changes to the policy to keep it up-to-date.

#### Policy NOR2: Riverside walk and cycle path

The policy had been updated to reference the East Norwich plan and a possible link to Cary's Meadow. In response to a question from a Member the PPO indicated that the wider East Norwich regeneration scheme would be factored into Policy NOR1 (Utilities site) which would be updated early in 2024 to reflect the ongoing nature of the regeneration scheme.

#### Policy SP5: Historic Environment

The main change to this strategic policy was to include a reference to materials and a supporting justification.

Tony Grayling left the meeting at 1:26pm.

#### Policy SSSTAITHES: Staithes

The PPO indicated that no changes had been applied to this policy that sought to protect staithes.

**Members' comments were noted.**

## 17. Local Plan - Development Boundary Topic Paper update

To benefit from the maximum number of Members in attendance to participate in the associated vote it was agreed to bring this item forward on the agenda before item 16.

The Planning Policy Officer (PPO) presented the report that covered updates to the Development Boundaries Topic Paper to address feedback from the Local Plan Issues and Options consultation and reflect current best practice on this subject.

The PPO highlighted the following changes:

- An item of consultation feedback had suggested that a development boundary be drawn at Brundall Riverside. The PPO explained that this was not considered appropriate as there were no obvious areas for new residential development at this location and there were already policies around replacement dwellings. Also, the Highways Authority had concerns about Station Road and the level crossing and pedestrian footway provision.
- Given the restrictions on development at Horning as summarised in the Horning Knackers Wood Water Recycling Centre - Joint Position Statement, this area would no longer be included as a Development Boundary within the emerging Local Plan for the Broads.

The PPO indicated that the associated Local Plan Policy DM35 (Residential development within defined Development Boundaries) had been amended in line with these updates as shown by Appendix 5 of the Development Boundaries Topic Paper.

Tony Grayling proposed, seconded by Stephen Bolt, and

**It was resolved unanimously to endorse the updated Development Boundaries Topic Paper as evidence for the Local Plan.**

Kevin Maguire left the meeting at 1:10pm.

## 18. Appeals to the Secretary of State

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

## 19. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 10 July 2023 to 4 August 2023 and there were no Tree Preservation Orders confirmed within this period.

## 20. Date of next meeting

The next meeting of the Planning Committee would be on Friday 15 September 2023 10.00am at Yare House, 62-64 Thorpe Road, Norwich.

The meeting ended at 1:32pm.

Signed by

Chair