

Planning Committee

Minutes of the meeting held on 16 August 2024

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Present

Harry Blathwayt – in the Chair for item 1

Tim Jickells – in the Chair (for item 2 onwards) Stephen Bolt, Andrée Gee, Tony Grayling, Martyn Hooton, Matthew Shardlow, Vic Thomson, 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, Stephen Hayden – the Authority’s Arboricultural Adviser (item 11), Ruth Sainsbury – Head of Planning, Callum Sculfor – Assistant Planning Officer, and Lorraine Taylor – Governance Officer.

Members of the public in attendance who spoke

Member of the public Ms Jodi Bromley, as applicant and Margaret Shelley, as agent for item 9.2, BA/2023/0436/FUL – Three Rivers Camp Site, Station Road, Geldeston.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from James Harvey, Kevin Maguire and Leslie Mogford.

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

Tim Jickells was proposed by Harry Blathwayt and seconded by Melanie Vigo di Gallidoro.

Fran Whymark was proposed by Vic Thomson and seconded by Martyn Hooton.

Ballot papers were distributed, collected and counted by the Governance Officers present.

It was resolved by 7 votes to 3 to appoint Tim Jickells as the Chair of the Planning Committee for the forthcoming year 2024/25.

Tim Jickells took the Chair and thanked the Members and said that he would try to justify their faith in him. He also thanked the outgoing Chair, Harry Blathwayt, for his excellent chairing, his integrity, his grace and his effectiveness and added that he could only aspire to follow that.

3. Appointment of Vice-Chair

Tony Grayling was proposed by Tim Jickells and seconded by Melanie Vigo Di Gallidoro.

There being no other nominations, Tony Grayling was appointed Vice-Chair of the Planning Committee for the forthcoming year 2024/25.

The Chair asked Tony to join him at the top table.

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 19 July 2024 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

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.

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/2024/0066/FUL – Wayford Nursery, Wayford Road, Wayford Bridge

Site description: Replace 8 poly-tunnels with glasshouse & covered area.

Applicant: Mr Nicholas Meale

The Planning Officer (PO) provided a detailed presentation of the application that would involve the removal of eight existing polytunnels and replaced by a new glasshouse and covered area.

The presentation included a location map, a site map, an aerial photograph with the site marked to provide context of the site and surrounding landscape, a plan diagram showing the area of land and buildings to be removed, and pictures showing the existing polytunnels and plant hardening areas. The PO explained that there were residential properties and businesses close to the site, however, the site was well concealed with no public vantage points aside from the Wayford Road and added that the glasshouse would not be visible as part of the wider Broads landscape.

The PO confirmed that there had been no new consultation responses since the publication of the report, and that there had been no objections. There was, however, a requirement for biodiversity enhancement and measures to put in place to avoid bird strike.

In answer to a question as to whether solar panels would be a requirement, the PO confirmed that the building was constructed of glass and not suitable for solar panels.

A Member asked whether the existing fencing between the carpark and the polytunnels would be removed or replaced. The PO confirmed that there would be a new green mesh fence installed on the boundary of the site.

A Member expressed concern that the development would increase the number of visitors to the site. The PO said that the floor area of the business was not increasing, and therefore, it was not anticipated that there would be more visitors than the current number. He added that the Highway Authority was consulted on this and it was not concerned and had made no objections. The PO highlighted a slide of the presentation that showed the access to the site, which afforded good visibility of the road in both directions.

A Member commented that the application stated there would be no hazardous substances on site, and asked whether it could be assumed that there would not be any pesticide use on the site. The PO said that he was unsure where pesticides fell within the Hazardous Substances requirements, however, any permits for Hazardous Substances would be separate to the planning application.

In response to a question regarding any potential increase in water consumption and possible effect on the water tables in the area, the PO said that the site currently used irrigation in the existing polytunnels, and it was therefore expected that there would be no change in water use on site. He added that as part of the application, two rainwater harvesting tanks, with a total capacity of 190 cubic metres, would be installed, which meant that there would be greater efficiency in terms of water saving.

A Member asked whether there were any details in relation to the biodiversity enhancement requirements. The PO said that it would not be possible to look at the biodiversity enhancements until the buildings had been erected, however, this matter would be followed up by officers once the building work had been completed.

A Member commented that bird boxes would normally be installed for biodiversity enhancement, however, with the requirement to look at putting measures in place to reduce bird strikes, this might not be possible. The PO said that the Authority's Ecologists have advised a condition should be added which would be looking for a scheme that was appropriate to the site.

In response to concerns about light pollution and the impact on dark skies, the PO said that as part of the conditions of any planning permission, they would look at the type of lighting required, the hours of use, and how they could control light spill. He added that until the light scheme was agreed, the applicant would not be able to install any lighting.

Harry Blathwayt proposed, seconded by Andrée Gee.

It was resolved by 9 votes in favour and 1 abstention, that planning permission be granted subject to the following conditions:

- i. Time limit**
- ii. In accordance with plans**
- iii. Provision of measures to avoid bird strike**
- iv. Biodiversity enhancement in form of provision of habitat for wildlife**
- v. Works to trees, hedges, or shrubs outside of main bird breeding/nesting season or checked by ecologist prior to works**
- vi. Use of glasshouse for growing of stock for sale on site only**
- vii. External lighting plan**

(2) BA/2023/0436/FUL - Three Rivers Camp Site, Station Road, Geldeston

Site description: Erection of building including reception area, staff room, on-site shop, three ensuite holiday let rooms, workshop/machinery store. Erection of storage and showers building. Erection of log store and changing room building. Sauna building. Increase in camping pitches from 20 to 27. All retrospective.

Applicant: Jodi Bromley.

The Planning Officer (PO) provided a detailed presentation of the retrospective planning application to the site due to work being undertaken that was not carried out in accordance with the original planning application, BA/2019/0412/FUL, approved in 2021.

The presentation included a location map, a site map, and an aerial photograph of the application which provided context of the site and surrounding landscape. In addition, the PO provided aerial images, photographs and plans which provided detail and comparison to the retrospective planning application with the original application. The PO provided images showing the buildings as built and pointed out the work was not in accordance with the planning permission granted in 2021.

The PO said that there had been a number of concerns raised in relation to the landscape impact – in particular the seven additional camping pitches, and an objection from the

Environment Agency (EA) on flood risk grounds in relation to the additional habitable accommodation within the service building and the additional pitches. It was also noted that one local resident objected to the scheme on the grounds of increased noise, visual impacts, light pollution, ecology and landscape.

The PO said that, through negotiation the additional camping pitches had now been moved closer to the northern end of the site which had more screening and each pitch had now been restricted to a single pitch. Landscaping on the southern end of the site had already been undertaken and additional landscaping would be carried out, in areas highlighted on the presentation. The sauna had also been relocated. The PO added that the Landscape Officer had commented that most of the concerns had been addressed satisfactorily and was happy with the additional planting and one of the conditions would be to keep the area south of the amenity a more natural area for visitors to use without a formal layout.

The area was within a fluvial and tidal flood zone so it therefore had a high probability of flooding. Initially the EA objected to the application on flood risk grounds in relation to the accommodation as it was considered more vulnerable to flooding. However, provisions had been provided in relation to the flood risk assessment and additional information which enabled the EA to remove its objection. The site's emergency flood plan had been updated and set out practical and reasonable methods of providing residents with safe refuge in the event of flooding.

In regard to the objections by the neighbour, these had all been addressed. All ecological concerns had also been addressed and the Authority's Ecologists were happy with the measures taken.

The PO said that the Broads Authority was awaiting the RAMS (Recreational Impact Avoidance and Mitigation Strategy) payment and was therefore seeking Members' approval that the Head of Planning (HoP) could make a delegated approval once received.

A Member asked whether Biodiversity Net Gain (BNG) was applied in this case. The HoP said that the application was submitted before BNG regulations came into effect, so there was no requirement for it to be applied.

A Member asked for clarification on whether the site was meeting the fire regulations. The PO said that this was something that was dealt with under the Building Regulations and would not be something that the Broads Authority would be involved with.

A Member asked how the alterations to the original planning application were picked up. The PO said that this was picked up during an enforcement visit and confirmed that the Enforcement Officer would visit again to ensure that the works were carried out in accordance with the approved plans.

Jodi Bromley provided a statement in support of the application commenting that she had started the business with her former partner in 2013. She added that the planning application granted in 2021 was applied for by her then partner and the work had been carried out by him. She was unaware that the plans had been altered and did not comply with the planning

permission granted by the Authority. Ms Bromley said that she had tried to make everything right and remedy the planning breaches that had occurred. In addition, she said that since 2013 she had planted over 2,000 trees and hedges on the site, most of which were native, and had worked with the River Waveney Trust and an Ecologist from the Broads Authority. Margaret Shelley added that Ms Bromley had worked hard to make things right, and that she had been awarded Tourism Business of the Year by South Norfolk Council which was testament to how Ms Bromley had worked in the last twelve months since the application was submitted to remedy the breaches that had occurred. She added that Ms Bromley was now solely responsible for the site.

Members said that they had been reassured by Ms Bromley's testimony and it provided a level playing field to judge the application on its own merits.

A Member commented that when the original application was approved there was no residential accommodation, and asked would that now be allowed on the site. The HoP confirmed that the application was restricted for holiday use only. The Member asked whether there would be a time-limit on any stay. The PO said that there were restrictions on the length of stay which was in 8.1 of the report.

Stephen Bolt proposed, seconded by Melanie Vigo di Gallidoro.

It was resolved unanimously to delegate approval to the Head of Planning, subject to RAMS payment and the following conditions:

- i. In accordance with approved plans**
- ii. Sauna building relocation**
- iii. Flood Emergency Plan**
- iv. Securing caravans**
- v. Holiday restriction**
- vi. Landscaping**
- vii. Landscape – retain amenity use**
- viii. Lighting**
- ix. Noise**
- x. Additional camping pitches**
- xi. Slipway launch**

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: The HoP confirmed that since the last Planning Committee meeting, the Inspector informed the Authority on 29 July 2024 that the appeal had been dismissed and enforcement notices were upheld.

Land at Loddon Marina: The HoP confirmed that since the last Planning Committee meeting, the Inspector informed the Authority on 29 July 2024 that the appeal had been dismissed and enforcement notice was upheld.

The HoP confirmed that there were time limits of 3 and 6 months set on the Inspector's decisions for compliance, and the Authority would be following up once the time limits had expired.

A Member asked whether the people that were currently staying in the caravans had found alternative accommodation. The HoP said that the Enforcement and Compliance Officers would be contacting them to discuss the next steps, however, they would need to wait until the allotted time period had expired before any action could be taken.

A Member asked if there was any update on the Land at Berney Arms and Holly Lodge. The HoP confirmed that there was no updates on these two items. The Member asked what the Authority was doing about these items and the HoP said that she did not have the details to hand but would report back by email to the Members after the meeting.¹

A Member asked that, given the history in relation to the land at Beauchamp Arms, what did the Authority plan to do if they still refused to do anything. The HoP said that they had three months and six months to comply with the decision notices, once this time had passed the Enforcement Officer would check to see if the notices had been complied with and then any decision on the next steps would be made.

11. BA/2024/0012/TPO – Proposed site visit to land at former Bridge Hotel, Repps with Bastwick

The Assistant Planning Officer (APO) gave a presentation on behalf of the Historic Environment Manager recommending that Members undertake a site visit in relation to a Tree Preservation Order (TPO) at land at Repps with Bastwick. The APO presented a location map together with various photographs of the site and explained that the site was close to the Potter Heigham Bridge which was a scheduled ancient monument. In addition, the APO provided a detailed map showing the location of the group of White Willows, the two Crack Willows and the single White Willow which were the subject of provisional TPO BA/2024/0012/TPO.

The APO said that the main issues raised by the objections to the provisional TPO was that it was not considered that the trees contributed to the character and wider amenity of the site and surrounding area and that the trees could potentially create a breach to the riverbank. He added that officers did consider that the trees had an amenity value, that although some of

¹ The Head of Planning provided Members with an update via email on 16 August 2024.

the trees had decay at the base, they were managed and there was considered no risk, and that there was a potential threat to the trees if the TPO was not granted. The APO confirmed that the TPO would not preclude future development of the site.

Members would be asked to consider confirming the TPO at a future Planning Committee meeting, but the officer's recommendation was that a site visit be undertaken for them to consider the full amenity value and condition of the trees, as well as the concerns of the Parish Council in relation to damage to the riverbank.

Stephen Hayden – the Authority's Arboricultural Adviser (AA) confirmed that there was no intention with the TPO to stop management of the trees; it was just to protect them from the threat of future development.

In answer to a question regarding detail of the cluster of trees, the AA said that it was a cluster of four White Willows at the back of the site creating a screen. He added that there was another cluster on the north-eastern side which was in poor condition and was not included in the provisional TPO.

A Member asked what condition the bank and moorings were in at present. The APO said that he was not the officer that had dealt with the provisional TPO and therefore had not visited the site, however, he could confirm that on the other side of the river, the Broads Authority was carrying out quay heading replacement. A Member commented that this question demonstrated why a site visit was needed.

Harry Blathwayt proposed, seconded by Stephen Bolt.

It was resolved unanimously to undertake a site visit to land at former Bridge Hotel, Repps with Bastwick.

Members, having been presented with several options for when to undertake a site visit, selected Friday, 6 September 2024 at 10am.

12. Neatishead Conservation Area Appraisal – Consultation

The Assistant Planning Officer (APO) gave an overview of the report and a presentation on behalf of the Historic Environment Manager. Slides included a map showing Neatishead Conservation Area with the boundary marked red, together with images of various buildings showing the area's unique character.

The APO said that it was proposed that a period of wider consultation would commence on 2 September 2024, which would run until 14 October 2024. All residential properties and businesses within the conservation area would receive correspondence to inform them of the consultation and how to access further information, to provide comment, or ask questions. The correspondence would also provide information regarding the drop-in session that would be held at Victory Hall within the village of Neatishead on Saturday 14 September where Officers would be present to discuss the document and answer any questions. The APO added that those properties to be included in the Local List would be written to separately. Statutory

and local bodies would also be consulted, these included Historic England, North Norfolk District Council, Historic Environment Team, the Highway Authority, and local Members.

The results of the public consultation would be used to inform changes to the draft appraisal to ensure that the Authority produced a document that was relevant and acceptable to the local community.

A Member asked whether the drop-in sessions were well attended. The APO said that the number of people that attended these sessions depended on the topic and day.

Harry Blathwayt proposed, seconded by Matthew Shardlow.

It was resolved unanimously to approve the commencement of the public consultation process for Neatishead Conservation Area Appraisal.

13. Statement of Community Involvement - Adoption

The Planning Policy Officer (PPO) introduced the report and said that all Planning Authorities had to have a Statement of Community Involvement and this document would help identify how and when local communities and stakeholders would be involved in the preparation of the Local Plan for the Broads, the Broads Plan and the assessment of planning applications. The PPO said that the Broads Authority's document had been updated to reflect that there were no longer any Covid 19 restrictions in place. In addition, venues where hard copies of documents were deposited had been updated as noted in 3.2 of the report.

Melanie Vigo di Gallidoro proposed, seconded by Matthew Shardlow.

It was resolved unanimously to endorse and adopt the Statement of Community Involvement.

14. Trowse Neighbourhood Plan – proceeding to referendum

The Planning Policy Officer (PPO) introduced the report. The PPO said that the Plan had been through its various stages, been consulted on and examined by an independent examiner. The next stage would be to proceed to a referendum.

Proposed by Stephen Bolt, seconded by Andrée Gee.

It was resolved unanimously to support the Examiner's report and support the Trowse Neighbourhood Plan proceeding to referendum.

15. Chet Neighbourhood Plan - proceeding to referendum

The Planning Policy Officer (PPO) introduced the report. The PPO said that as per the previous item, the Plan had been through its various stages, been consulted on and examined by an independent examiner. The next stage would be to proceed to a referendum.

A Member asked whether the Neighbourhood Plan would affect existing footpaths in that area. The Head of Planning (HoP) said that footpaths were overseen by Norfolk County Council and would therefore not be part of the Neighbourhood Plan.

Proposed by Vic Thomson, seconded by Tony Grayling.

It was resolved unanimously to support the Examiner's report and support the Chet Neighbourhood Plan proceeding to referendum.

16. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – Q2 (1 April to 30 June 2024)

The Head of Planning (HoP) introduced the report, which provided the development control statistics for the quarter ending 30 June 2024. The HoP highlighted paragraph 1.2 which demonstrated that the department achieved 100% in relation to targets met and was performing well.

17. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting and the Head of Planning (HoP) referred Members to the update on the appeals as noted in agenda item 10 of the meeting. The HoP confirmed that no other appeals had been submitted since the publication of the report.

18. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 9 July 2024 to 5 August 2024 and there were no Tree Preservation Orders confirmed within this period.

19. Date of next meeting

The next meeting of the Planning Committee would be on Friday 13 September 2024 at 10.00am at the King's Centre, 63-75 King Street, Norwich, NR1 1PH.

The meeting ended at 11:58am

Signed by

Chair