

# Planning Committee

## Minutes of the meeting held on 06 December 2024

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## Present

Tim Jickells – in the Chair, Harry Blathwayt, Stephen Bolt, Andrée Gee, Tony Grayling, Gurpreet Padda, Matthew Shardlow, Vic Thomson, Melanie Vigo di Gallidoro and Fran Whymark

## In attendance

Natalie Beal – Planning Policy Officer, Jason Brewster – Governance Officer, Steve Kenny – Development Manager, Kate Knights – Historic Environment Manager (items 10 & 11), Harry Mach – Carbon Reduction Projects Manager (item 7), Ruth Sainsbury – Head of Planning, Callum Sculfor – Assistant Planning Officer (item 7) and Sara Utting – Senior Governance Officer

## Members of the public in attendance who spoke

None

## 1. Apologies and welcome

The Chair welcomed everyone to the meeting.

**Apologies** were received from James Harvey, Martyn Hooton 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. Declarations of interest and introductions

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 08 November 2024 were approved as a correct record and signed by the Chair.

## 4. Matters of urgent business

There were no items of urgent business

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

No members of the public had registered to speak.

## 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 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/2024/0245/FUL - Carlton Marshes Visitors Centre, Burnt Hill Lane, Carlton Colville

#### **Installation of three electric cycle charging boxes**

#### **Applicant: Broads Authority**

The Assistant Planning Officer (APO) provided a detailed presentation of the application that proposed the installation of three electric bike charging pods at the Carlton Marshes Visitors Centre, Burnt Hill Lane, Carlton Colville. The three pods would be installed as a single unit measuring 2.9 metres in width, 2.3 metres deep and 1.5 metres in height with a solar panel forming the roof of each pod and required no ancillary connections. The pods would be constructed from a wood plastic composite material, chosen for its ability to withstand an electric battery fire, and moulded to provide a mock timber appearance. The pods would be located to the north west side of the visitor centre's car park, within close proximity to a timber clad shipping container.

The APO explained that this and the following two applications were part of a partnership with Intelligen International Ltd, an engineering firm specialising in off-grid electric bike charging stations. Intelligen International were one of eight firms to secure backing from a £1.2 million fund, provided by the Department of Transport as part of The Innovate UK Catapult Network, for projects to enhance rural transport, offering people more choice and enabling better connections with local areas.

The presentation included location maps, a site map, an aerial photograph showing the site relative to the visitor centre, car park and nearby residential properties, various photographs of the site and its surrounds and a diagram depicting the elevation plans of the pods.

In assessing the application, the APO addressed the key issues of the principle of development; the design and impact on heritage assets and landscape; neighbour amenity; sustainable tourism and recreation and renewable energy.

In response to a question, the Carbon Reduction Projects Manager (CRPM) confirmed that the solar panels would be used to trickle-charge lead acid car batteries installed within each pod which in turn would be used to charge the electric bike's battery. The pods had been designed to be self-contained to simplify their installation and enable them to be located in rural locations with no access to the electricity network.

Members supported the development and discussed how this infrastructure was to be used and wanted to better understand the viability of this proposal. The CRPM confirmed that this, and the two subsequent applications, were part of a wider pathfinder project that would be assessed to evaluate the outcome of these installations and provide data to inform similar initiatives in the future.

Andrée Gee proposed, seconded by Melanie Vigo di Gallidoro

**It was resolved unanimously to approve subject to conditions:**

- i. Time limit**
- ii. In accordance with the approved plans and material details**
- iii. Prior to installation, all external materials to be confirmed**

**(2) BA/2024/0246/FUL - Salhouse Broad, Lower Street, Salhouse**

**Installation of three electric cycle charging boxes**

**Applicant: Broads Authority**

The Assistant Planning Officer (APO) provided a detailed presentation of the application that proposed the installation of three electric bike charging pods at Salhouse Broad, Lower Street, Salhouse. The technical aspects of the pods were the same as those stated above for application BA/2024/0245/FUL. The site was located within the Salhouse Conservation Area and the pods would be located adjacent to the dark skies viewing platform.

The presentation included location maps, a site map, an aerial photograph showing the site relative to the Salhouse Broad, the campsite and the access track, various photographs of the site and its surrounds and a diagram depicting the elevation plans of the pods.

In assessing the application, the APO addressed the key issues of the principle of development; the design and impact on heritage assets and landscape; neighbour amenity; sustainable tourism and recreation and renewable energy.

Members had concerns about the proposed use of a track between the site and the public car park at Lower Street for access to the site, questioning whether the track was suitable for shared use by cyclists and pedestrians. The Carbon Reduction Projects Manager confirmed that cyclists used the track currently, that the most likely users would be touring cyclists who, with laden bikes, would not be travelling at speed along the unmade track and that this development was not expected to attract large numbers of users. The Development Manager added that the installation of three charging pods would not provide a significant incentive for

additional people to cycle to this site and that it was not unusual for cyclists and pedestrians to share access infrastructure.

Harry Blathwayt proposed, seconded by Stephen Bolt

**It was resolved by 9 votes for and 1 abstention to approve subject to conditions:**

- i. Time limit**
- ii. In accordance with the approved plans and material details**
- iii. Prior to installation, all external materials to be confirmed**

### **(3) BA/2024/0249/FUL - Car Park At, Ferry Inn, Ferry Road, Reedham**

#### **Installation of three electric cycle charging boxes**

**Applicant: Broads Authority**

The Assistant Planning Officer (APO) provided a detailed presentation of the application that proposed the installation of three electric bike charging pods at Car Park At, Ferry Inn, Ferry Road, Reedham. The technical aspects of the pods were the same as those stated previously for application BA/2024/0245/FUL. The pods would be located to the north east corner of the Ferry Inn's car park adjacent to the boundary hedge and the flood bank.

The presentation included location maps, a site map, an aerial photograph showing the site relative to the Reedham Ferry Inn, Ferry Road and the River Yare, various photographs of the site and its surrounds and a diagram depicting the elevation plans of the pods.

In assessing the application, the APO addressed the key issues of the principle of development; the design and impact on heritage assets and landscape; neighbour amenity; sustainable tourism and recreation and renewable energy.

A Member noted that the site was prone to flooding and asked whether the pods would survive being immersed in water. The Carbon Reduction Projects Manager explained that the charging equipment was attached to the underside of a pod's roof and the plug socket was 18 inches to 2 foot above the pod's floor.

Fran Whymark proposed, seconded by Harry Blathwayt

**It was resolved unanimously to approve subject to conditions:**

- i. Time limit**
- ii. In accordance with the approved plans and material details**
- iii. Prior to installation, all external materials to be confirmed**

## 8. Local Enforcement Plan and amendments to Scheme of Delegation

The Development Manager (DM) presented the report which detailed changes to the Local Enforcement Plan (LEP) and the Scheme of Delegation (formally known as the Scheme of powers delegated to the Chief Executive and other authorised officers) in response to the Levelling Up and Regeneration Act (LURA). The DM provided a summary of the changes required by LURA as explained in section 2 of the report.

The Scheme of Delegation had been updated to reference the new Listed Building Temporary Stop Notice and Enforcement Warning Notice associated with LURA and to ensure the delegation of these notices reflected the correct authorised officers.

A Member noted that compliance activity was a significant pre-cursor to enforcement that many people neglected to consider when dealing with the planning team. To address this omission, the Member suggested renaming the LEP the Local Compliance and Enforcement Plan. It was agreed to make an additional amendment to the LEP by replacing references to LEP with Local Compliance and Enforcement Plan.

Vic Thomson proposed, seconded by Tony Grayling

**It was resolved unanimously to endorse:**

- **The changes to the Local Enforcement Plan including replacing references to the Local Enforcement Plan with Local Compliance and Enforcement Plan.**
- **The changes to the Scheme of Delegation and recommend these to the Broads Authority for approval**

## 9. Enforcement update

Members received an update report from the Development Manager on enforcement matters previously referred to the Committee.

The meeting adjourned at 11:20am and reconvened at 11:26am.

## 10. BA/2024/0013/TPO Nicholas Everitt Park, Lowestoft

The Historic Environment Manager (HEM) presented the report recommending confirmation of a provisional Tree Preservation Order (TPO) for an oak tree at Nicholas Everitt Park, Bridge Road, Lowestoft. The applicant had submitted a tree works application for six trees in the park and the proposed works on five trees had been approved. The proposed work on the remaining tree, an oak, to reduce its height to a standing stem of 4-5m from ground level was deemed to be inappropriate. The Local Planning Authority for the Broads had an obligation to serve TPOs on trees that were considered to be of amenity value and under threat. The tree had been assessed by the Authority's Arboricultural Consultant (AAC) using the Tree Evaluation Method for Preservation Orders (TEMPO) which indicated that the oak tree

contributed to the amenity value of the area and warranted a TPO. A provisional TPO had been served on 18 July 2024 that would need to be confirmed by 18 January 2025.

The applicant had objected to the provisional TPO stating the tree posed a significant risk, that its rooting was eroding over time and that, if it were to fall, given its location adjacent to a public car park, it could cause significant harm/injury to persons or damage to property. The objection had been received within the 28-day consultation period and as per the Authority's Scheme of powers delegated to the Chief Executive and other officers, paragraph 50 (ii), this matter would need to be determined by the Planning Committee. Given the technical nature of the objection, Members had agreed at the meeting on 11 October 2024, that there was no value in undertaking a site visit in this instance.

The HEM presented a location map, a site map showing the tree's location within the context of the park, a site map showing the tree's location in relation to the park's tennis courts and car park, an equivalent aerial photograph and various photographs of the tree associated with the provisional TPO. The subject tree was part of a larger group of trees that formed the eastern boundary of the Nicholas Everitt Park. From the images it was demonstrated that the subject tree was a prominent addition to the larger group of trees especially when viewed from the adjacent car park.

The HEM explained the AAC's assessment of the oak tree had found the rooting area was not in poor condition and appeared to be sound with no signs of lifting or cracking (as shown in supporting photographs). In regard to the lean of the tree, the AAC believed the tree had grown with the lean, which had developed in response to adjacent trees, and that the tree's root system would have developed to accommodate this lean. The tree showed no fungal pathogens or signs of decay. The tree was in good health, showed no sign of weakness or imminent likelihood of failure and posed no immediate risk to users of the car park. There was not sufficient risk to warrant a reduction in the tree's height to 4 or 5 metres and it was recommended that Members confirm the TPO.

In response to a question, the HEM reminded Members that a TPO did not preclude further tree works deemed to be appropriate and/or necessary, that any proposed works would require the Authority's consent beforehand although if the tree posed an urgent and serious safety risk then the Authority's prior consent could be foregone assuming appropriate documentary evidence was captured to confirm the imminent risk posed by the tree.

Members supported the TPO believing the tree contributed to the overall character of the area and its loss would be noticeable.

Melanie Vigo di Gallidoro proposed, seconded by Andrée Gee

**It was resolved unanimously to confirm Tree Preservation Order BA/2024/0013/TPO Nicholas Everitt Park, Lowestoft.**

## 11. BA/2024/0015/TPO The Island, Yarmouth Road, Thorpe St Andrew - Site visit

The Historic Environment Manager (HEM) presented the report to determine whether a site visit was required in relation to a Woodland Tree Preservation Order (TPO) for a mixed broadleaved woodland located on Thorpe Island, The Island, Yarmouth Road, Thorpe St Andrew (located within the Thorpe St Andrew Conservation Area). The applicant had submitted a tree works application for 15 trees on this site, that following negotiation, had been amended to carry out revised works to 12 trees. To ensure that the agreed work was carried out appropriately could only be achieved by a TPO, so a Tree Evaluation Method for Preservation Orders (TEMPO) assessment was carried out and it was considered that the woodland met the criteria for a TPO to be served. A provisional Woodland TPO had been served on 15 August 2024. The HEM indicated that this would need to be confirmed by 15 February 2025.

The applicant had objected to the provisional TPO stating that it was unnecessary as they had been effectively managing the woodland and the trees were already protected through the Conservation Area.

The objection had been received within the 28-day consultation period and as per the Authority's Scheme of powers delegated to the Chief Executive and other officers, paragraph 50 (ii), this matter would need to be determined by the Planning Committee. In preparation for this determination the HEM explained that Members could undertake a site visit however, in this instance, a detailed photographic survey of the woodland and its surrounds, in conjunction with information provided by the Authority's Arboricultural Consultant, would be adequate to determine the provisional TPO. The recommendation was therefore not to undertake a site visit.

Members acknowledged the need for site visits under certain circumstances however, given the nature of the objection, Members agreed that there was no value in this instance.

Harry Bathwayt proposed, seconded by Vic Thomson

**It was resolved unanimously to not undertake a site visit before the provisional TPO BA/2024/0015/TPO was considered at a future Planning Committee meeting.**

## 12. Carlton Colville Neighbourhood Plan – Agreeing to re-consult

The Planning Policy Officer (PPO) introduced the report, which proposed consulting on further modifications to the Carlton Colville Neighbourhood Plan. The PPO explained that the Neighbourhood Plan had undergone an examination and the Examiner's report had been published. The Carlton Colville neighbourhood planning bodies, namely Carlton Colville Town Council and the Local Planning Authorities for the Broads Authority and East Suffolk Council, had disagreed with some of the Examiner's recommended modifications and had proposed



alternative modifications in these instances. The intention was to consult on the proposed alternative modifications as required by the Neighbourhood Planning legislation.

Members thought the proposed modifications were reasonable and supported the consultation.

Matthew Shardlow proposed, seconded by Melanie Vigo di Gallidoro

**It was resolved unanimously to endorse the proposed modifications to the Carlton Colville Neighbourhood Plan that differed to those recommended by the Examiner and to recommend these proposed modifications be consulted on.**

### **13. Norfolk and Waveney Planning in Health Protocol - Update**

The Planning Policy Officer (PPO) presented the report which provided an updated version of the Norfolk and Waveney Planning in Health Protocol. Appendix 1 of the report provided a summary of the revisions made to the Planning in Health Protocol and the revised protocol was provided in Appendix 2 of the report.

Members welcomed this protocol for its wider benefits to people's wellbeing.

Harry Bathwayt proposed, seconded by Stephen Bolt

**It was resolved unanimously to endorse the revised Norfolk and Waveney Planning in Health Protocol.**

### **14. Norfolk Recreational Impact Avoidance and Mitigation Strategy - Delivery management**

The Planning Policy Officer (PPO) introduced the report, which documented the latest changes to the Norfolk Recreational Impact Avoidance and Mitigation Strategy (RAMS). The PPO reminded Members that RAMS was a tariff based approach to mitigating the impact of recreational disturbance on designated habitat sites resulting from increased residential development.

Since the Norfolk RAMS was endorsed by the Planning Committee on 7 January 2022, further work had been undertaken to improve the mitigation strategy. The result of this work was the Action Plan provided in Appendix 1 of the report. This plan detailed actions relating to mitigation measures across a range of protected sites throughout Norfolk, a number of which were within the Broads.

There was a single county wide RAMS tariff, associated with new residential dwellings, which was originally set at £221.17 per dwelling. Following the completion of the Action Plan, which provided a more complete understanding of the required mitigation measures, the tariff would be increased to approximately £280 per dwelling.

All the Local Planning Authorities (LPAs) within Norfolk were responsible for collecting these tariffs which were periodically paid into a central Norfolk RAMS Fund. The governance of this

fund was to be overseen by a board consisting of appointees from all the participating LPAs. The governance and management of this fund was described in the Memorandum of Understanding provided in Appendix 2 of the report.

The PPO confirmed that the RAMS Action Plan, revised tariff and Memorandum of Understanding were to be endorsed by each LPA and each LPA would nominate a representative to the Norfolk Green Infrastructure (GI) and RAMS oversight board. Once the Planning Committee had endorsed these documents and recommended the Vice-Chair of the Planning Committee as the principal nominee, with the Chair of the Planning Committee as his deputy, for the Norfolk GI RAMS oversight board these proposals would be put to the Broads Authority for adoption.

Members noted the extensive list of projects proposed in the Action Plan and, given the number of visitors attracted to the area, that the Broads would play an important part in the mitigation measures. A Member believed that the projects listed did not reflect all the possible impacts to the flora and fauna across all the protected sites and wondered whether the resulting gaps could be identified and addressed. A Member responded that this was the beginning of this mitigation strategy and that he expected it to improve over time.

Matthew Shardlow proposed, seconded by Gurpreet Padda

**It was resolved unanimously to:**

- i. Endorse the new Norfolk Recreational impact Avoidance and Mitigation Strategy (RAMS) Action Plan plus tariff and governance arrangements (as stated in the Memorandum of Understanding) for adoption by the Broads Authority**
- ii. Recommend that the Broads Authority nominates the Vice-Chair of the Planning Committee to the Norfolk Green Infrastructure and RAMS oversight board, with the Chair of the Planning Committee acting as deputy.**

## 15. Consultation Responses

The Planning Policy Officer (PPO) introduced the report, which documented the responses to the Suffolk Local Transport Plan, Suffolk Local Cycling and Walking Infrastructure Plan and Beccles Area Transport Plan provided by Suffolk County Council. The PPO confirmed that an extension had been granted for the Local Planning Authority (LPA) for the Broads to enable a response from this committee meeting to be confirmed. The PPO indicated that, along with some inconsistencies in the strength of wordings used, the responses to all three documents sought to correct references to the Broads and Broads Authority that had previously been omitted.

Melanie Vigo di Gallidoro proposed, seconded by Andrée Gee

**It was resolved unanimously to endorse the nature of the proposed responses to the Suffolk Local Transport Plan, Suffolk Local Cycling and Walking Infrastructure Plan and Beccles Area Transport Plan.**

## 16. Annual Monitoring Report and Infrastructure Funding Statement

The Planning Policy Officer (PPO) presented the report which detailed the Annual Monitoring Report 2023/24 and the Infrastructure Funding Statement 2024. The PPO discussed each of these documents in turn.

### Annual Monitoring Report 2023/24

The Annual Monitoring Report (Appendix 1 of the report) detailed key metrics associated with planning activity from 1 April 2023 to 31 March 2024, as well as an assessment on how policies in the Local Plan for the Broads were utilised. The PPO highlighted that the Authority was not able to demonstrate a 5-year land supply although the presumption in favour of sustainable development did not apply in the Broads. The PPO confirmed that the self-build exemption, from the duty to give enough suitable development permissions to meet the identified demand, was maintained.

### Infrastructure Funding Statement 2024

The Infrastructure Funding Statement (Appendix 2 of the report) provided a summary of contributions raised through planning obligations, such as Recreational Impact Avoidance and Mitigation Strategy and Section 106 Agreements, for the period 1 November 2023 to 31 October 2024.

Harry Bathwayt proposed, seconded by Stephen Bolt

**It was resolved unanimously to endorse the Annual Monitoring Report 2023/24 and the Infrastructure Funding Statement 2024.**

Harry Blathwayt left the meeting.

## 17. Appeals to the Secretary of State

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

## 18. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 28 October to 22 November 2024 and any Tree Preservation Orders confirmed within this period.

## 19. Date of next meeting

The next meeting of the Planning Committee would be on Friday 10 January 2025 10.00am at The King's Centre, 63-75 King Street, Norwich, NR1 1PH.

The meeting ended at 12:16pm.

Signed by

Chair

DRAFT

## Appendix 1 – Declaration of interests Planning Committee, 06 December 2024

| Member                                | Agenda/minute  | Nature of interest   |
|---------------------------------------|----------------|--|
| Tim Jickells on behalf of all Members | 7.1, 7.2 & 7.3 | Applicant is the Broads Authority.                           |
| Andrée Gee                            | 7.1 & 10       | East Suffolk Councillor - other registerable interest.       |
| Melanie Vigo Di Gallidoro             | 7.1            | Suffolk County Councillor - other registerable interest.     |
| Fran Whymark                          | 7.2            | Broadland District Councillor - other registerable interest. |