

Planning Committee

Minutes of the meeting held on 07 February 2025

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Present

Tim Jickells – in the Chair, Harry Blathwayt, Stephen Bolt, Andrée Gee, Tony Grayling, James Harvey, Martyn Hooton, Gurpreet Padda, Matthew Shardlow, Vic Thomson and Fran Whymark

In attendance

Natalie Beal – Planning Policy Officer (items 9-12), Jason Brewster – Governance Officer, Steve Kenny – Development Manager, Ruth Sainsbury – Head of Planning and Sara Utting – Senior Governance Officer

Members of the public in attendance who spoke

No members of the public in attendance.

1. Apologies and welcome

The Chair welcomed everyone to the meeting.

Apologies were received from 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 indicated that they had no further declarations of interest other than those already registered.

3. Minutes of last meeting

The minutes of the meeting held on 10 January 2025 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

There were no applications for consideration.

8. Enforcement update

Members received an update report from the Development Manager (DM) on enforcement matters previously referred to the Committee. Further updates were provided at the meeting for:

Holly Lodge, Church Loke, Coltishall (Unauthorised replacement windows in listed building)

The DM confirmed that the Listed Building Enforcement Notice, as previously authorised by the Planning Committee, had been served on 24 January 2025. The Authority had subsequently been contacted by an agent appointed by the landowner.

Land at the Beauchamp Arms Public House (Unauthorised static caravans)

The Pre-hearing at Norwich Crown Court scheduled for 31 January 2025 had been cancelled by the Court on 30 January due to lack of court time. The DM was waiting to hear from the Court when the rescheduled Pre-hearing would take place and had been informed this would not be until May 2025 at the earliest. In response to a question, the DM confirmed that all the remaining enforcement items relating to the operator of this site were on hold until the prosecution, relating to the unauthorised static caravans at the Beauchamp Arms, was concluded.

9. Great Yarmouth Borough Council Statement of Common Ground

The Planning Policy Officer (PPO) introduced the report, which documented the Statement of Common Ground between the Local Planning Authorities (LPAs) of Great Yarmouth Borough Council and the Broads Authority. This document formalised the duty to co-operate arrangements between the two LPAs and, once endorsed, would be used as evidence for both the Broads and Great Yarmouth Local Plans.

Harry Blathwayt proposed, seconded by Fran Whymark

It was resolved unanimously to endorse the Great Yarmouth Borough Council Statement of Common Ground as part of the Authority's Duty to Cooperate.

10. Consultation Responses

The Planning Policy Officer (PPO) introduced the report, which documented responses to the pre-submission (Regulation 14) version of the Postwick with Witton Neighbourhood Plan issued for consultation by the Postwick with Witton Parish Council and the Planning Reform Working Paper regarding Development and Nature Recovery issued by the Ministry of

Housing, Communities and Local Government in conjunction with the Department for Environment, Food and Rural Affairs. The PPO explained each of the consultation documents in turn.

Regulation 14 version of the Postwick with Witton Neighbourhood Plan

The PPO indicated that there were no major issues with the Regulation 14 version of the Postwick with Witton Neighbourhood Plan. The proposed response sought clarification on a number of points and suggested improvements to some wordings.

Planning Reform Working Paper: Development and Nature Recovery

The Planning Reform Working Paper on Development and Nature Recovery proposed a new mechanism for housing and infrastructure development to meet its environmental obligations and contribute to nature recovery. The key proposal was to fund nature recovery in a similar fashion to that adopted for developments associated with Recreational Impact Avoidance and Mitigation Strategy (RAMS). This would entail tariffs being sought from qualifying developments which would be paid into a central fund. The fund would then enable approved nature recovery schemes to be financed to offset the environmental harms resulting from housing and infrastructure development. The intention was to provide a more efficient and effective way for Habitat Regulations Assessments and other environmental obligations to be discharged, pooling individual contributions to deliver the strategic interventions required to enable nature recovery. The PPO had engaged with the Authority's Ecology & Design Supervisor and the Authority's Environment Policy Adviser to provide the responses for this consultation as detailed in Appendix 2 of the report.

A Member was concerned with the working paper's assertion in section 19 that "there will be no need to consider this environmental impact on a case-by-case basis". The Member believed that this would undermine the integrity of the impact assessment and it would not be possible to identify the required mitigations to a given development. Environmental harm was a dynamic process that changed over time and without recourse to up-to-date impact assessments these changes could not be addressed.

The Member believed that, by treating environmental obligations associated with housing and infrastructure development as financial transactions, there was also a risk that more nature would be harmed; developers could choose to pay a higher tariff rather than minimising the environmental impact associated with a development.

The Member believed that the list of protected species had not been updated for fourteen or so years and that, without an up-to-date list, the impact assessments would not accurately reflect the environmental impacts.

Members were sympathetic to these additional contributions and the Member agreed to provide detailed wordings to the PPO for inclusion in the response.

Members were supportive of the proposed response believing it struck the right balance between acknowledging the principles of the proposed reforms while highlighting some of the associated risks and issues. The recommendation was updated to include the additional Member amendments into the proposed responses.

Matthew Shardlow proposed, seconded by Stephen Bolt

It was resolved unanimously to endorse the nature of the proposed responses to the Regulation 14 version of the Postwick with Witton Neighbourhood Plan and, subject to the agreed Member amendments, the Planning Reform Working Paper on Development and Nature Recovery.

11. Local Plan - Preparing the publication version

The Planning Policy Officer (PPO) presented the report which detailed a revised Local Development Scheme and one new and one amended item of evidence for reference by the publication version of the Local Plan. The PPO proposed to discuss each section of the report in turn and welcomed members' feedback.

Local Development Scheme

Following confirmation of the transitional arrangements for the latest version of the National Planning Policy Framework and a request by government for all Local Planning Authorities to update their Local Development Schemes, the timeline for producing the Local Plan had been revised. The aim was to perform the public consultation during the summer of 2025 although there was scope, assuming preparation went better than anticipated, to begin the consultation in May 2025.

Peat topic paper

Following consultation with the Planning Inspectorate of England (PINS) the PPO had produced a Peat topic paper to strengthen the case for protecting peat soils and in particular for keeping peat in situ. The PPO had worked in conjunction with the Authority's Ecology & Design Supervisor, the Authority's Environment Policy Adviser and both Norfolk and Suffolk Wildlife Trusts to revise this topic paper.

In response to questions about the carbon sequestering quality of peat and its potential to act as a carbon source if not properly protected. The PPO reminded Members that these special qualities were contributing factors to the Peat Soils policy stating that peat was deemed equivalent to an irreplaceable habitat. This was intended to present a high bar for any development wishing to excavate peat to ensure that the carbon within the peat remained there.

More than 10% Biodiversity Net Gain topic paper

The PPO had reviewed the evidence for the Authority setting a Biodiversity Net Gain (BNG) target greater than the statutory minimum of 10%. The Authority's Ecology & Design Supervisor, the Authority's Environment Policy Adviser, both Norfolk and Suffolk Wildlife Trusts and the Royal Society for the Protection of Birds had all been engaged in the review of the More than 10% BNG topic paper. Revisions to the paper included the Authority's decision to declare a biodiversity emergency and its adoption of the Broads Nature Recovery Strategy (both at Broads Authority meeting 29 November 2024) and references to both Norfolk's and Suffolk's Local Nature Recovery Strategies.

A Member had read a report that indicated that only approximately half of environmental improvements were delivered and wondered whether BNG improvements would have a similar low success rate. The PPO believed that BNG was likely to be much more successful as it was mandated through Section 106 legal agreements, the production of monitoring and maintenance plans and monitoring would be over a thirty year period. In addition, the Head of Planning highlighted that the Authority had a proven track record of conditioning biodiversity enhancements and monitoring them to ensure these enhancements were delivered.

Tony Grayling proposed, seconded by James Harvey

It was resolved unanimously to endorse the revised Local Development Scheme and both updated topic papers for Peat and More than 10% Biodiversity Net Gain as evidence for the Local Plan for the Broads

12. National Planning Policy Framework - Briefing

The Planning Policy Officer (PPO) presented the report which provided a summary of the revisions associated with the latest version of the National Planning Policy Framework (NPPF) published on 12 December 2024. The PPO indicated that the majority of the changes were not relevant to the Broads however she highlighted two areas that were relevant.

The first related to planning policies and decisions promoting public safety (section 102 of the NPPF) and in particular a revision to consider “the safety of children and other vulnerable users in proximity to open water”. The PPO explained that the Safety by the Water local plan policy would be revised in light of this new NPPF requirement and this updated policy would be brought to a future Planning Committee.

The second related to updated guidance regarding the assessment of local housing need and a new NPPF requirement to factor in housing stock into the methodology used to derive housing need within areas like the Broads. The PPO indicated that this adjustment would triple the housing need associated with the Broads Executive area. Members were reminded that the Authority’s housing need was not additional to the need identified by the Authority’s constituent districts, but was part of their need then the Authority’s shortfall could be met by arrangement with the districts through the Duty to Cooperate.

The PPO confirmed that the Local Plan for the Broads would be produced under the current method for producing Local Plans and assessed against the latest version of the NPPF.

Members were concerned about the implications of the NPPF’s revision regarding open water safety. The PPO explained that whatever improvements were proposed to the Safety by the Water policy they, as per any other local plan policy amendment, would be reasonable and proportionate.

A Member noted that the revised NPPF expected LPAs to “consider identifying suitable areas for renewable and low carbon development” (section 9.4 of the report) and asked whether the Broads Local Plan met this requirement. The PPO responded that the Authority’s

Renewable and low carbon energy policy had adopted a criteria based approach to these forms of development consistent with the new government's change in approach to onshore wind energy.

The report was noted.

13. Circular 28/83 Publication by Local Authorities of information about the handling of planning applications – Q3 (1 October to 31 December 2024)

The Head of Planning (HoP) introduced the report, which provided the development control statistics for the quarter ending 31 December 2024. The report demonstrated that the department achieved 100% in relation to targets met and was performing well.

The report was noted.

14. Appeals to the Secretary of State

The Committee received a schedule of appeals to the Secretary of State since the last meeting. The Development Manager indicated that a start date had been received on 7 February 2025 for an appeal regarding a boat cover over existing mooring cut (retrospective) at Manor Gates Garden, Staithe Road, Ludham.

15. Decisions made by officers under delegated powers

The Committee received a schedule of decisions made by officers under delegated powers from 23 December 2024 to 24 January 2025 and any Tree Preservation Orders confirmed within this period.

16. Date of next meeting

The next meeting of the Planning Committee would be on Friday 07 March 2025 at 10.00am at The King's Centre, 63-75 King Street, Norwich.

The meeting ended at 10:57am

Signed by

Chair