BRECKLAND COUNCIL

At a Meeting of the

PLANNING COMMITTEE (FORMERLY KNOWN AS DEVELOPMENT CONTROL COMMITTEE)

Held on Monday, 8 August 2011 at 9.30 am in
Anglia Room, The Conference Suite, Elizabeth House, Dereham

PRESENT
Councillor Claire Bowes Mr W R J Richmond
Mr T R Carter Mr M S Robinson
Mr C S Clark Mr F.J. Sharpe
Councillor E. Gould (Chairman) Mr N.C. Wilkin (Vice-Chairman)
Mr T.J. Lamb Mr P.J. Duigan (Substitute Member)
Mrs J A North Mr B Rose (Substitute Member)

Also Present
Mr C.R. Jordan (Ward Representative) Mr W.H.C. Smith (Ward Representative)
Mr M.A. Kiddle-Morris – Mr R.W. Duffield (Ward Representative)
Executive Member Mr J.P. Cowen

In Attendance
Paul Jackson - Planning Manager
John Chinnery - Solicitor & Standards Consultant
Nick Moys - Principal Planning Officer (Major Projects)*
Mike Brennan - Principal Planning Officer*
Sarah Robertson - Planning Policy Officer*
David Spencer - Principal Planning Officer*
Jane Osborne - Committee Officer
* Capita Symonds for Breckland Council

119/11 MINUTES
The Minutes of the meeting held on 11 July 2011 were confirmed as a correct record and signed by the Chairman.

120/11 APOLOGIES & SUBSTITUTES
Apologies for absence were received from Cllr P Spencer, Cllr P Duigan was in attendance as her substitute.

Apologies for absence were received from Cllr S Rogers, Cllr B Rose was in attendance as his substitute.

121/11 DECLARATION OF INTEREST AND OF REPRESENTATIONS RECEIVED
Cllr Cowen declared a personal and prejudicial interest in Agenda Item 9, Schedule of Planning Applications Item 5, by virtue of being in attendance as the Agent to the Applicant.

Cllr J North declared a personal interest in Agenda Item 9, Schedule of Planning Applications Item 5, as Old Buckenham was part of her
constituency and she had met the Applicant. 

Cllr J North declared a personal interest in Agenda Item 9, Schedule of Planning Applications Item 4, as Attleborough formed part of her constituency and she was acquainted with a member of the Tingdene Group.

122/11 CHAIRMAN’S ANNOUNCEMENTS

No feedback on training requirements had been received by the Chairman with regard to any specific subjects.

123/11 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA

The following items from Agenda No. 9, Schedule of Planning Applications were deferred:

Item 1 : Shipdham : Reference 3PL/2011/0182/0 was deferred, due to the need to consult with Natural England.

Item 2 : Shipdham : Reference 3PL/2011/0187/CA was deferred, due to being closely allied to Item 1.

Item 3 : Shipdham : Reference 3PL/2011/0189/F was deferred, due to being closely allied to Item 1.

124/11 URGENT BUSINESS

125/11 LOCAL DEVELOPMENT FRAMEWORK (STANDING ITEM)

Sarah Robertson, Planning Policy Officer (Capita Symonds) provided an update.

126/11 DEFERRED APPLICATIONS

Noted.

127/11 SCHEDULE OF PLANNING APPLICATIONS

RESOLVED that the applications be determined as follows:-

(a) Item 1 : Shipdham : Land to the east of Mill Road : Erection of 8 detached houses with garages including highway improvements for D D Dodd & Son : Reference 3PL/2011/0182/0

Deferred, due to the need to consult with Natural England.

(b) Item 2 : Shipdham : The Old School House, Chapel Street : Conversion of former school buildings to 6 affordable housing units inc. some demolition for D D Dodd & Son : Reference 3PL/2011/0187/CA

Deferred, due to being closely allied to Item 1.
(c) Item 3 : Shipdham : The Old School House, Chapel Street : Conversion of former school buildings to 6 affordable housing units inc. some demolition for D D Dodd & Son : Reference 3PL/2011/0189/F

Deferred, due to being closely allied to Item 1.

(d) Item 4 : Attleborough : Oak Tree Park, Norwich Road : Change of use of land to mobile home park for Tingdene Group : Reference 3PL/2011/0398/CU

Cllr J North declared a personal interest as Attleborough formed part of her constituency and she was acquainted with a member of the Tingdene Group. A constituent had contacted her about the site with regard to access and overlooking.

The application sought planning permission for the change of use of land for the standing of residential mobile homes. The development would form an extension to an existing mobile home park, known as Oak Tree Caravan Park. A total of 49 additional mobile homes would be accommodated in two parcels of land. Occupation of the mobile homes would be limited to the over 50s, and would be free market housing. Access to the proposed development would be via the existing caravan park entrance and roads.

The Principal Planning Officer showed photographs of the mobile homes for illustrative purposes only, but these would need to be agreed subject to conditions on the layout of properties, design, amenity, distance between dwellings, new roads, boundary treatment, trees and a restriction to the over 50s. Confirmation would be required from Anglian Water that it could be demonstrated that sewerage and sewage disposal systems serving the development have sufficient capacity to accommodate the additional flows.

The Housing Team raised no objection subject to a contribution to affordable housing. Subject to details of the plots the Tree Officer had not objected. Some of the existing dwellings are close to boundaries and comments received, including those from the Attleborough Community Team, covered local infrastructure and overlooking. No affordable housing is proposed as part of the development, instead an estimated financial contribution of £150k - £170k, with recreation contributions for the wider community of £39k along with a local Library contribution agreed in principle.

Mr Middleton, Objector, stated that the Attleborough Community Team wanted to see planned sustainable growth under a master plan. Unless an assessment is carried out they believed a number of policies were unlikely to be met and spatial strategy would not be delivered.

Mr Basi, Agent, explained that the homes were designed to be easily maintained and offered their target occupiers the opportunity to downsize. Medium to large size properties would be released to younger families. The current caravan site had been under used for a number of years and the change in use would be a more efficient use of the site.
Mr Jackson, Planning Manager advised Members on infrastructure provision, planning policy and the CIL.

**The application be deferred and, subject to the required confirmation from Anglian Water, the Officers be authorised to approve the application as recommended on completion of the S106 Agreement.**

(e) **Item 5 : Old Buckenham : The Shrublands : Demolition of mid 20C bungalows, conversion of barns to 8 dwellings and erection of 15 dwellings for Mr John Alston : Reference 3PL/2011/0440/F**

Cllr J North declared a personal interest as Old Buckenham was part of her constituency and she had met the Applicant. Members had received correspondence from the Agent.

The application which was outside the Settlement Boundary sought the demolition of mid 20C bungalows, conversion of barns to 8 dwellings and erection of 15 dwellings.

The Parish Council had objected as had Cllr A Joel, Member for the Buckenham Ward. As he could not attend the meeting his objections were read out by the Principal Planning Officer which covered safety of the traffic coming onto the B1077, it was outside the Settlement Boundary, the development had no special justification in respect of agricultural, forestry or tourism and the windfall site claim was not relevant.

16 letters of objection had been received from local residents which consisted of scale, lack of infrastructure, highway safety, no justification for the development and urbanisation of the countryside, along with objections from the Attleborough Community Team on the grounds that it should be considered as part of the Attleborough and Snetterton Heath Action Plan.

The applicants had agreed an affordable housing contribution of £207k and an open space contribution of £24,000.

No case had been made by the applicant with regard to the appropriateness of adding 11 additional units. The applicant considers the site should be regarded as a windfall development. Although the design and scale of individual buildings are concurred with, the layout was acceptable and there had been no significant objections from consultees received, it is recommended for refusal by virtue of the additional units.

Mr Ing, Parish Council, stated that that the application was probably the largest single development in the village for a number of years. He had met with residents and neighbours of the bungalows to be demolished who had not been offered any alternative dwelling. The new development was inappropriate, but there were no issues with the barns being converted. Given that it is outside the Settlement Boundary it is inappropriate along with main concerns about transport and traffic.

Mr Middleton, Objector, stated that as the proposal fell within the
ASHAP area, it should be considered part of the overall plan of Attleborough. He was surprised that the Attleborough Community Team were not listed as a consultee. The Solicitor & Standards Consultant explained the scope of the Council resolution.

Cllr P Cowen declared a personal and prejudicial interest as he was in attendance as the Agent to the Applicant. The draft scheme presented in August 2010 was not the same as that now being proposed. Surveys had been embarked on as the site area had increased and an amended and a reduced housing scheme produced. It was considered the affordable housing contribution would be better served through a commuted sum to assist a scheme in Old Buckenham. He made reference to PPS7 which stated that authorities should consider focusing most development in, or next to, existing towns and villages. It was a viable location and the proposal added value to the landscape and character and would bring benefits to the local community. It met criteria laid down for a windfall development. He left the room.

A Councillor believed the traffic problems for the site would be quite large given the speed limit, increase in traffic and the heavy vehicles that would use a dangerous route.

It was questioned whether the site had been put forward as part of the site specific local plan and if not why not. The Planning Manager clarified it was not a windfall site. Whilst a Councillor commented it would be the creation of a new hamlet in the countryside, and the conversion of the barns should be welcomed, there was no provision for the new element. Other Councillors believed it was a spacious attractive plan including the new element and the Committee needed to be flexible with regard to housing needs. However, the policy argument against it was felt to be far too strong.

Refused, as recommended.

(f) Item 6 : Attleborough : Land off Whitehorse Lane : Pair of semi-detached dwellings & re-surface entrance road to site (resubmission) for Mr Steve Becker : Reference 3PL/2011/0449/F

The application sought full planning permission to construct a pair of semi detached houses on former garden land off Whitehorse Lane, Attleborough. The dwellings would be constructed in render and tiles and would each comprise of three bedrooms, a lounge/diner, kitchen and bathrooms. Each dwelling would be served by its own parking and garden areas. The dwellings would be served by a shared access off an unmade road known as Whitehorse Lane. The site lies within the Conservation Area. An almost identical scheme to construct a pair of semi-detached dwellings on the site had been refused in 2007.

5 letters of objection had been received from local residents due to it being identical to the proposal submitted previously, loss of parking space and increased traffic.

The history of the site was a material consideration and the major change in the scheme was that the Applicant was proposing to re-
surface the private drive. Ownership and control of the lane was a concern.

Mr Took, Applicant, believed that given the site was located very close to the town centre it was a sustainable location. The principle of the development was not in dispute and was very comparable with dwellings that adjoined the site. The scheme was not identical, design improvements had been made and the open space issue resolved. The dwellings would be constructed to the minimum of Code Level 3. The lane would be improved and surfaced dressed, but it was not an adopted lane. Maintenance would be subject to a condition with regard to the surface. He believed works should be prior to occupation rather than prior to construction.

Refused, as recommended.

(g) Item 7: Rocklands: Holly Cottage, Chapel Street, Rockland St Peter: C/U of extg office & new extension to create single dwelling plus the demolition & replacement of double garage for Mr David Batch: Reference 3PL/2011/0482/F

The application sought full planning permission for the conversion and extension of an existing outbuilding/office associated with an existing dwelling into a separate dwelling house. The proposal requires the removal of an existing garage in order to access the development, this is achieved via St. Peters Close. As a consequence of the demolition of the garage, a replacement double garage is proposed and this is to be used by both the occupiers of the barn conversion and St. Peters Close. A previous application for two dwellings had been refused and dismissed at appeal. The dwelling and garage were within the Settlement Boundary whilst part of the garden was outside it.

The Parish Council had objected to the application as it would create a precedent and were concerned about the potential need for additional parking. 7 letters of objection had been received covering back-land development, highway safety, inadequate parking, character and amenity of the area.

Mr Took, Agent, advised that the application bore no resemblance to the previous one, and the appeal issues had been addressed. The gardens are very large for both the new modest single dwelling and the current one, and the spacious character of the area would be maintained. Access had been moved away from the building.

Mr Smith, Ward Representative, advised that the Parish Council whilst not adverse to any additional housing in the village, had objected to the proposals along with residents. The site was at the open and pleasing edge of the village and there would be some harm to the character and intrusion into the non settlement area.

The recommendation for approval was not supported. A new proposal was put forward for refusal.

Refused, contrary to Officer recommendation, on the grounds that it was over development of the site, back land and impact on the character of the area.
Item 8: Attleborough: Hamilton Acorn Ltd, Halford Road: Demolition of factory buildings, erection of 86 dwellings, public open space & associated infrastructure for Hamilton Acorn Ltd; Reference 3PL/2011/0489/O

The application sought outline planning permission for the redevelopment of a redundant factory site close to Attleborough town centre. It is proposed to demolish existing commercial buildings and erect 86 dwellings. All matters are reserved for future approval, but an outline master plan has been provided, together with indicative plans showing building heights, densities and layouts. The application was supported by various technical reports.

The Housing Team raised no objection provided the affordable housing contribution talks are concluded. No comments had been received from Anglian Water but the Principal Planning Officer believed they had no objection. Concerns had been received on the impact of further development in Attleborough including representations from the Attleborough Community Team.

The shortfall in open space contribution would be made up by a financial contribution, and the Applicant had indicated they were committed to providing affordable housing within the site. A provisional offer has been made which would include 40% requirement with a mix of tenures or an alternative option of less than 40% with a mix of tenures to meet local need. To conclude discussions, an independent appraisal was needed to confirm full affordable housing would not be viable in this case, and the advice of the District Valuer sought.

Mr Middleton, Objector stated that there were worries about the town and the application should be considered within the concept of ASHAP. There were 3500 signatures in support of refusal, and it should be considered with the overall plan for Attleborough over the next 20 years. Concerns covered capacity on infrastructure, sewerage and employment. Traffic in the town centre is at grid lock and at capacity now and it should be covered in a traffic survey.

Ms Lockwood, Agent, stated that Hamilton Acorn Ltd used to employ 160 people, the Warehouse and Admin function was still there and trucks continued to visit. Safe routes to schools were proposed and they would have a travel plan. Contributions would be accessible for new and existing residents. Infrastructure had been addressed for the wider area.

The Planning Manager advised Members that the site would not have been included in the LDF site specifics process.

The Chair made the proposal which was seconded, to defer the application as no decision could be made pending the information required with regard to the affordable housing contribution.

Deferred, to obtain a report from District Valuer and to clarify sewerage capacity issues.

The application sought full planning permission for the erection of a new workshop building at G T Bunning and Sons, Gressenhall. The building has pitched roofs and is constructed using a steel frame with plastic coated steel cladding to the exterior walls and blockwork with the roof clad with plastic coated steel cladding. The building provides a main workshop, assembly area, paint and shot booth and mess room and toilets.

The whole site is set below adjacent ground level. The application would enable the company to expand their production and keep up with demand.

Approved, as recommended.

(j) Item 10 : Attleborough : Land off Stony Lane, Crows Hall Farm, Stony Lane : Minor material amendment to pp 3PL/2009/1143/F in respect of plant & layout changes & removal of open lagoon for SS Agriservices & PJ Southgate Ltd : Reference 3PL/2011/0560/F

The application sought approval for a material minor amendment to a proposed Anaerobic Digestion (AD) plant on the edge of Attleborough. The changes proposed to the approved development concerned the type and layout of plant and equipment within the AD plant compound. All other aspects of the proposal, including site location, access, feedstock etc would remain unchanged.

The AD Plant as now proposed would include two main digester/gas storage tanks (instead of one) and an additional gas storage tank. An amended silage clamp layout was also proposed, together with a sealed storage bag tank for the liquid digestate rather than an open lagoon. Other minor changes are proposed to the arrangement of associated plant and equipment.

The Environment Agency had raised concern with regard to pollution of ground water through bore holes. It was understood that bore holes were used for testing purposes prior to the development. The application was recommended for approval subject to the matter being concluded with the Environment Agency.

Mr Keymer, Agent, advised that the silage clamps needed to be used by the end of September/early October for the silage harvest, so the need to start building these was urgent.

Approved, as recommended subject to positive confirmation from the Environment Agency.


The application sought full planning permission for the conversion of part of an existing workshop to one-bedroomed residential
accommodation. The proposal includes minor alterations to the existing building such as the installation of new windows and the erection of a chimney stack. The site is outside the Settlement Boundary.

The Parish Council objected to the scheme as it was outside the Settlement Boundary. The Applicant had demonstrated that the building is structurally, sound since May 2010 a marketing exercise had been undertaken. The major part of the building would be used for continual workshop purposes.

Mr Duffield, the Ward Representative reinforced the Parish Council objections as it was outside the guidelines.

Mr Gardner, Applicant, advised that there was ample space on site for parking, along with a cart shed that could be used.

Members felt that the application was a very sustainable opportunity.

Approved, as recommended.

(l) Item 12 : Harling : Grigsons Wood, School Lane : Demolish part boundary wall lower ground levels to side of Grigsons Wood & reconstruction in facing brickwork for Breckland Council : Reference 3PL/2011/0576/F

The application related to the demolition of a section of a wall which runs along the shared boundary between Acanthus House, a residential dwelling, and an area of open woodland owned by Breckland Council and re-building to the same height as the original. The new section will be slightly thicker to allow a structural core to be incorporated to improve its structural stability. The existing wall extends over a distance of 66m, of which approximately 21.5m of wall has collapsed. A further length of 16.5m of wall is considered unsafe and will be demolished. A total length of 38m of new wall will be built.

Cllr M Kiddle-Morris, Executive Member for Assets & Strategic Development supported the application for recommendation. The previous application for a flint wall was felt to be too excessive. The current application would cost £44k and was a considerable cost reduction to the Council. When the wall collapsed, a shed belonging to the neighbours Mr & Mrs Chapman had been damaged and they had not been able to use it since 2009. They wanted the wall replaced at the same height.

The wall was not on the frontage of a roadway but between a private garden and woodland and due to this a Councillor felt that the replacement was acceptable.

Approved, as recommended.
(m) Item 13: Whinbourne/Westfield: Land to the West of Shop Street: Erection of detached dwelling with garage & new access for Mr & Mrs R W Key: Reference 3PL/2011/0616/F

The application sought full planning permission for the erection of a detached, two-storey dwelling and detached garage, and the creation of a new access way to the site. The site is an infill site of 0.31ha and located outside the Settlement Boundary. No contribution to affordable housing had been proposed. If Members were minded to approve the application, a contribution would be required. The Parish Council had strongly objected as noted in the report.

Mr Irvine, Agent, advised that the site was the remainder of a garden from an old demolished cottage. The applicants had built 2 cottages to the south of the site in 2003. The garden left in the middle is too small to be farmed. The house would complete the street scene in an attractive way and provide a new family home.

Mr Jordan, Ward Representative had been asked by Whinbourne/Westfield Parish Council to ensure that Members understood completely that they believed the rules should be adhered to, and they wished that Members refuse the application.

Mr Jordan had personally been involved with the application for a year which had originally been for two houses, but was now for one house which fitted the site. The land was in an area of top quality houses. Drainage problems had been resolved. He could not think of any other use the land could be used for.

The Principal Planning Officer stated that on a site of this size there should be a contribution to affordable housing. Mr Irvine, Agent confirmed that the applicants would be prepared to do this.

The Planning Manager advised Members of areas that needed to be borne in mind which were the settlement boundary, there were no special circumstances in this instance, and that a second application could come in if one application was permitted.

Refused, as recommended.

(n) Item 14: Hardingham: Oak Lodge, Nordelph Corner: Conversion of garage to dwelling for Mr & Mrs A J Townshend: Reference 3PL/2011/0618/F

The application sought full planning permission for the conversion of an existing garage to provide a two-bedroom residential unit to be used by the applicant’s son and daughter-in-law. External alterations are fairly minor and include the provision of a dormer window on both the east and west elevations and a new ground floor window on the south elevation. The existing driveway that serves the garage and dwelling at present, will be used as the access way for the garage conversion. The site is outside the Settlement Boundary.

The Parish Council had raised no objections. Norfolk County Council were concerned with the sustainability of the location.
letters of support had been received from local residents.

Policy DC20 requires a marketing exercise to be undertaken, and in this instance, no marketing had been done.

Mr Townshend, Applicant, advised that the reason for converting the existing building to a house was for his son, who had lived in Hardingham for 20 years and was on the Housing Waiting List. The only changes were 2 small dormer windows with obscure glazing. The building had been built as a garage and for general storage 17 years ago. They had received 100% support for the application. He would be happy to use the existing access from the road and put in a new access to address comments made about the drive that would go passed the homes.

Mr Jordan, Ward Representative stated the there was full support in the area to convert the building. There was a housing need in Hardingham and the driveway issue could be remedied.

In answer to concerns raised by a Councillor with regard to permitted development rights of further garages being built, extra construction on site, lining methods, the need to contact Building Control and the possibility of tying it to the existing residence, the Principal Planning Officer advised that permitted development rights could be taken away for the existing garage but not for the principle dwelling. It would be built to Building Regulations and the building would be looked at with regard to conversion. If the existing access was retained he believed there should be some linkage. A new access would be a new application.

The Solicitor and Standards Consultant clarified for Members that an annex had to be functionally linked to the main house. The application had not been put forward in a way that it would allow it to be tied to the existing dwelling.

A new proposal was put forward in that it Members felt it was an acceptable conversion to an existing building.

The Planning Manager asked that Members think carefully about precedent, and his advice would be that Members explore the opportunity to tie it to the applicant, which would give the Applicant’s son and his family the opportunity of using it for the reasons proposed. If in 10 years time the buildings were separated, at that time the units would need to be accessed independently.

The Solicitor and Standards Consultant was not in favour of it being tied in. He suggested Members might wish to consider a separate application with a separate driveway.

As the Committee did not know if the applicant would tie the accommodation to his own property, the Chairman suggested that the item be deferred to allow the applicant to speak to Officers.

Deferred, for further discussion between the Applicant and Officers with regard to the property being tied to the house.
(o) Item 15: Gressenhall: 1 Park Farm Cottages, Longham Road, Sparrow Green: Rebuild & extension of existing two storey extension & single storey link between dwelling & outbuilding for Mr & Mrs E Poole: Reference 3PL/2011/0651/F

The application proposed rebuilding and extending a two storey extension to form an entrance hall, shower room and lounge with bedrooms above at the rear and side of the terraced property. There is currently a small 2 storey extension to the side of the dwelling. A single storey link between the dwelling and an outbuilding is also proposed at the front, the link will form a dining room and the outbuilding to the front will take the form of a family room and a utility room. The site is outside the Settlement Boundary.

The application was finely balanced but recommended for refusal due to design principles. One objection had been received from a neighbour due to loss of light from the front single storey element.

Mr Burton, Agent, explained that the loss of light did not result from the 2 storey extension, and the extension would to some extent, replace an existing 2 storey element.

The Chairman advised that in late 2004/2005 she had visited the neighbours house when they themselves had submitted a planning application, at which Mr & Mrs Poole were present too. At that time Mr & Mrs Poole were not in a position to extend their own premises. The proposed application is 1m wider than their neighbours. She felt the proposal would improve the look from the road.

The recommendation for refusal was unanimously voted against, therefore a new recommendation was put forward and seconded.

Approved, subject to conditions, contrary to recommendation, on the grounds that the development would not have any unacceptable impact on the neighbouring property or the area.

Notes to Schedule

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11 Mr Gardner – Applicant  
Mr Duffield – Ward Representative

12 Mr Kiddle-Morris – Exec Member

13 Mr Irvine – Agent  
Mr Jordan – Ward Representative

14 Mr Townshend – Applicant  
Mr Jordan – Ward Representative

15 Mr Burton - Agent

Written Representations Taken Into Account

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128/11 FIVE YEAR SUPPLY OF HOUSING STATEMENT

Sarah Robertson, Planning Policy Officer presented the report, the purpose of which was to advise Members of the contents of the Five Year Supply of Housing Statement.

The content of the report was noted.

129/11 APPLICATIONS DETERMINED BY THE DIRECTOR OF COMMISSIONING

Noted.

130/11 APPEAL DECISIONS (FOR INFORMATION)

Noted.

131/11 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL (FOR INFORMATION)

Noted.

The meeting closed at 2.08 pm