

## **BRECKLAND COUNCIL**

### **At a Meeting of the**

### **DEVELOPMENT CONTROL COMMITTEE**

**Held on Monday, 11 August 2008 at 9.30 am in  
Anglia Room, The Conference Suite, Elizabeth House, Dereham**

#### **PRESENT**

Councillor E. Gould (Chairman)	Mr R. Kemp
Mr W.P. Borrett	Mr M.A. Kiddle-Morris
Councillor Claire Bowes	Mr J.P. Labouchere
Mr A.J. Byrne	Mr T.J. Lamb
Mrs M.P. Chapman-Allen	Mr B. Rose
Mr P.J. Duigan	Mr F.J. Sharpe
Mr M. Fanthorpe	Mrs P.A. Spencer
Mrs S.R. Howard-Alpe	Mr M. Spencer
Mrs D.K.R. Irving	Mr N.C. Wilkin (Vice-Chairman)

#### **Also Present**

Mrs J. Ball (Ward Representative)	Mr A.C. Stasiak (Ward Representative)
Mr P.D. Claussen (Housing and Economic Portfolio Holder)	Mrs A.L. Steward (Planning and the Environment Portfolio Holder)

#### **In Attendance**

Mike Brennan	- Principal Development Control Officer
Heather Burlingham	- Assistant Development Control Officer
John Chinnery	- Solicitor & Standards Consultant
Phil Daines	- Development Services Manager
Richard Fisher	- Tree Preservation Order Review Officer
Sue Hammond	- Environmental Health Officer
Ray Johnson	- Assistant Director (Services)
Andrea Long	- Environmental Planning Manager
Helen McAleer	- Member Services Officer
Nick Moys	- Principal Planning Officer (Major Projects)
Mark Stanton	- Head of Economic Development
Lee Webster	- Housing Enabling and Projects Officer

#### **Action By**

#### **127/08 MINUTES (AGENDA ITEM 1)**

The minutes of the meeting held on 21 July 2008 were confirmed as a correct record and signed by the Chairman.

#### **128/08 APOLOGIES (AGENDA ITEM 2)**

Apologies for absence were received from Mr P Francis.

#### **129/08 DECLARATION OF INTEREST (AGENDA ITEM 3)**

Members and officers were asked to declare any interest at the time the applications were made:

Mr N Wilkin declared a personal and prejudicial interest in Schedule Item 6 (Thetford) by virtue of having financial business connections with the applicant.

Mr M Kiddle-Morris declared a personal interest in Schedule Item 7

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(Attleborough) by virtue of knowing the architect.

**130/08 REQUESTS TO DEFER APPLICATIONS INCLUDED IN THIS AGENDA (AGENDA ITEM 5)**

There were no requests for deferral.

**131/08 URGENT BUSINESS (AGENDA ITEM 6)**

There was no urgent business.

**132/08 LOCAL DEVELOPMENT FRAMEWORK (AGENDA ITEM 7)**

The Environmental Planning Manager told Members that the Site Specifics consultation was now half way through and would close on 26 September 2008. The final meeting with Parish Councils would take place that evening at Shipdham. So far 75 additional sites had been submitted for consideration.

Focus would now turn to the Core Strategy which would be submitted later in the year. Issues would be discussed at Panel 1 meetings on 20 August and 23 September 2008.

The Thetford Area Action Plan consultation had finished and currently approximately one thousand comments were being analysed.

**133/08 SCHEDULE OF PLANNING APPLICATIONS (AGENDA ITEM 9)**

**RESOLVED** that the applications be determined as follows:

- (a) Item 1: 3PL/2008/0214/F: Ashill: Goose Green: Seven residential units in 3 blocks with associated access and car parking for Mrs Laura Handford

**Deferred - See Minute No 134/08.**

- (b) Item 2: 3PL/2008/0607/F: Watton: Plaswood Site, Griston Road: Demolish existing industrial units and erection of 24 No residential dwellings and garages for plots 1, 2 and 4 for Serruys Property Co Ltd

The Principal Planning Officer introduced this full application for residential development.

Plans and photographs were shown illustrating the relationship of the site with adjacent premises which included the Norfolk Meadows development of the former Easco Site which was nearing completion, the Weco Engineering plant and a small motorcycle workshop.

The layout proposed two internal footway links to the Norfolk Meadows development. There were no amenity issues caused by the layout. The affordable housing requirement would be met off-site and a financial contribution for this, library, walking/cycling and education would be covered by a legal agreement.

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No site frontage footway link was required by Highways. This had been conditioned previously as part of the Norfolk Meadows development, but had subsequently been varied as not enough land had been within Highway ownership. Instead the footway to the northern side of the carriageway had been widened.

The main issue to be considered was noise. The engineering plant operated with open doors and the work involved processes such as welding and grinding and noise could also be expected from the motorcycle workshop.

A two and a half metre acoustic fence was proposed along the western site boundary to mitigate the potential noise problem and the internal layout of the dwellings closest to the plant had been amended to leave only bathrooms and landings to the rear elevation at first floor. An acoustic report submitted with the application suggested that noise levels were acceptable with doors and windows closed.

The Council's Environmental Health Officer was asked to clarify her comments. She told Members that she had looked carefully at the noise assessment report and was concerned that it did not take into account the sporadic nature of the engineering works which could exceed acceptable noise levels at times. Also the proposed acoustic fencing would not protect residents from works carried out at height. She explained that there were no planning controls on the engineering activity on the site and that her statutory powers to protect future residents from works taking place on an acknowledged industrial site were limited. Future work practices could change and this could lead to a conflict of interests. She concluded by saying that the acoustic report concerned noise levels with doors and windows closed and that at a recent appeal the Inspector had ruled that it was not acceptable for people to have to keep their doors and windows closed.

The Principal Planning Officer summed up by saying that it was regrettable as in all other respects this seemed a good scheme but on balance it was considered unreasonable to grant planning permission because of the noise concerns.

Mr Ivory, representing the Town Council raised concerns about the loss of industrial land to housing. He also stressed the importance of a footway being provided along the site frontage if more houses were to be approved in the interests of pedestrian safety.

Mr Took representing Weco Engineering, expressed concern at the prospect of a housing development adjacent the plant. He said the Weco family business had been operating from the site for 40 years and employed 15 people. The work was heavy engineering and did create noise.

Mrs Malyon and Mr Osborn, spoke in support of the proposal.

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Mrs Malyon, representing the residents of the Norfolk Meadows development said the existing Plaswood site was dangerous and unsightly and needed to be improved on Health and Safety grounds.

Mr Osborn, a resident of Griston Road, would also welcome the site being tidied, but his main concern was that a footpath was provided. He said that when the original Norfolk Meadows permission was given a footpath was conditioned, but this had never materialised. He stressed that a footpath was needed.

Mr Clark, the Agent, told Members that their consultant's report confirmed that noise levels would be acceptable. He said that the Environmental Health Officer was only concerned with the potential for future noise and that the acoustic barrier and the re-design of the second floor so that no habitable rooms with windows were adjacent the noisiest part of the site and the introduction of an air system for ventilation all contributed to making the development acceptable. Finally he mentioned that if this planning application was not successful the land could return to industrial use which might lead to worse conditions.

The Council's Solicitor clarified two points. He said that the Agent's reference to the EHO's comments was incorrect. He also explained that the Council could not require a footway to be built over private land.

The Chairman commented that she did not think it was acceptable for people not to be able to open their windows.

A Member recalled when this whole area had been industrial and commented that it had gradually been redeveloped putting pressure on the remaining engineering works which needed protecting. He thought the Plaswood site acted as a cushion and questioned its existing Use Class. From the photographs shown he was concerned that the site was dangerous and needed securing.

The Development Services Manager said he believed the site had a general industrial use. It had been vacant for some time. Currently only Environmental Health had any controls but if any new proposal came forward it would be looked at closely. If new buildings were to be erected account could be taken of the adjacent properties. However there were no planning controls over the existing buildings. Any safety concerns should be referred to the Health and Safety Executive.

**Refused, as recommended.**

- (c) Item 3: 3PL/2008/0660/F: Roudham/Larling: Roudham Farm: Environmentally controlled potato store building for W O & P O Jolly

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This full application proposed a building 81m long by 31m wide to store high quality potatoes for the chip and crisp market. An area of hardstanding for the parking and turning of vehicles was also proposed. Currently the potatoes were stored in sub-standard buildings at Roudham or transported for storage elsewhere. This arrangement was unsustainable due to transport costs.

Members were shown a plan with the site of the proposal marked and the nearest residential properties ringed. Other locations had been considered and discounted. This site benefitted from existing direct access to and from the A11. The proposal would generate six to eight HGV movements a day; most would be straight to/from the A11.

The Council's Tree and Landscape Officer had objected on grounds of impact on the character of the area.

Reasonable screening to the east and south already existed and a two metre bund and approximately 12 metres of additional native, mixed species tree planting along with an outer belt of Scots Pine were proposed. This would take some time to establish and in the meantime there would be an impact on the landscape.

Conditions were proposed re boundary noise and lighting.

Mrs Currie objected to the proposal. She owned the nearest property and her main concern was that the track, which was her only access, could be blocked by queuing lorries. She was also concerned about the possible effect on the wildlife habitat, potential noise from fans and vehicles and the loss of her view when the bund was erected. She was pleased to hear that a lighting condition was proposed as her husband was a keen astronomer.

Mr Jolly, the applicant, told Members that he had farmed potatoes at Roudham for 20 years and gradually increased his acreage during that time. The site had been chosen for its direct access to the A11 avoiding the need for lorries to pass residential properties. The site was slightly lower than the A11 and the bund and tree screen would improve its appearance. He pointed out the existing background noise of the A11 and the railway line in close proximity to Mrs Currie's property. He said the store would not create more noise, and would be energy efficient, reduce costs and improve control if allowed.

A Member asked about external storage at the site and Mr Jolly confirmed that there was no intention to have any although there may occasionally be a few crates outside.

Another Member asked if there would ever be occasions when a larger number of lorries would be visiting the site. The number of movements was limited by the ability to grade the potatoes out of the store and was unlikely to exceed six to eight per day.

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**Approved, as recommended.**

- (d) Item 4: 3PL/2008/0722/F: Oxborough: Church Farm: 2 fishing lakes, 1 wildlife pond, car parking, vehicular access, paths and landscaping for Ian Monson

**Approved - See Minute No 135/08.**

- (e) Item 5: 3PL/2008/0762/F: Stanford: Stanford Training Area: Alterations to training facilities, including improved road infrastructure for Ministry of Defence

The Principal Planning Officer (Major Projects) presented this full application for improvements to the training facilities. Members had previously attended a site visit.

The alterations were to provide two new training complexes. The first would replace a former tented site close to the river. The second, rural complex would wrap round existing buildings. The new structures would emulate middle-eastern flat roofed buildings.

The campsite complex of buildings would all be single storey, resembling a fortified compound. Improvements were also proposed to the road infrastructure to cater for the larger vehicles now in use.

There was no intention to increase the number of troops using the facilities.

The key issue was the impact on nature and wildlife. Much of the wildlife was present on site as a result of the way the land had been managed by the MoD. Following discussions between Natural England and the MoD no objection had been raised and the loss of habitat would be mitigated by the provision of other areas within the site as replacement. Subject to this provision being conditioned the proposal was recommended for approval.

Lt Col Lloyd told Members that funding had already been received from the MoD for these improvements. The intention was to make training for the soldiers as realistic as possible. He reiterated that there was no intention to increase the number of troops but to make the facilities significantly better to prepare them for duties in Afghanistan and Iraq. He said it was critical that these proposals were approved as he believed it would significantly reduce casualties.

Mrs Steward, Ward Representative said that she represented many of the surrounding parishes and had not received a single objection from any of them. There would be no increase in activity but a significant improvement to the training facilities. She asked Members to approve the application.

**Approved, as recommended.**

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(f) Item 6: 3PL/2008/0874/F: Thetford: Brunel Way: Construction of industrial units for Mr S Basey-Fisher

Mr N Wilkin declared a personal and prejudicial interest in this item and left the room while it was discussed.

The Principal Planning Officer (Major Projects) introduced this full application which formed part of the Thetford Enterprise Park (outline permission for which was renewed last year).

He showed Members a site location plan and explained that access would be from Brunel Way until the construction of the new roundabout and access to serve the Thetford Enterprise Park. The Highways Authority had no objection to this.

The proposal was for a large building (12,000 square metres of floorspace) with parking and servicing areas. Indicative drawings showed a three storey building with glazed entrance and office accommodation creating visual interest and the rest of the building having a warehouse appearance.

The site sloped and the building would be cut in which would reduce its visual impact. There was also a tree covered, steep embankment up to the A11 which would screen the building.

The principle of development was acceptable on this site, the main issue was how well the proposal would fit in with the rest of the Thetford Enterprise Park. A requirement of the outline permission, renewed last year, was that a Master Plan and Development Brief be submitted for the whole site. This had only recently been received and a number of issues had been raised and changes requested. It was important that all development complied with the Master Plan.

This proposal appeared to be acceptable, but there was a need to look at the landscaping of the site as a whole and also address the energy values of the buildings within the site. Approval was recommended but subject to changes to conform with the requirements of the Master Plan.

Mark Stanton, Head of Economic Development, told Members that the Thetford Enterprise Park was part of the REV Project. The site had been earmarked for development in the Local Plan for over 10 years but had not been developed. This was 'market failure' due to the cost of road links and service costs. Final funding had been secured from EEDA last year to enable this site to be brought into use to provide jobs to meet the projected expansion in Thetford over the next 10 years. He urged Members to support this proposal by a key employer who was continuing to grow in the current financial climate.

Mr Jones, the Agent, told Members that the building could provide up to 100 new jobs in the future. This international company dealt in baby goods and bicycles and was investing £9 million to safeguard existing jobs and create future

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capacity. The building was high quality and energy efficient. Up to three and a half metres of cutting in would ensure the building sat low in the site and groundworks needed to commence before the bad weather set in.

A Member was keen for this development to progress and asked if approval could be granted subject to a condition re compliance with the Master Plan requirements.

The Principal Planning Officer (Major Projects) was mindful not to hold things up but felt that such a substantial building needed to be in line with the framework of the overall plan for the Thetford Enterprise Park. One or two technical issues needed to be resolved including drainage – the Environment Agency had raised concerns about recently submitted details. However, on the basis of the discussions which had already taken place he was confident they could be resolved.

A Thetford Member asked what the exact use of the building would be as originally the intention had been to provide a high-tech, 'science park' on the site. He wanted to know if any construction/manufacture would take part in the building.

The agent confirmed that the building would fundamentally be a warehouse, but that the offices could employ up to 100 people in the future.

The Member was disappointed that such a large part of the site would not involve manufacture.

Mark Stanton explained that the EEDA funding had come with strict criteria about what types of business could be accepted on the site and some would definitely be high tech. However, from an Economic Development point of view they were very happy to have Century Logistics on site as they were a key employer in the area.

The Chairman asked for clarification on the employment position.

Mr Basey-Fisher said he owned the company and had started it 11 years ago and it had grown from five employees to over 100. They provided distribution for the world's largest baby goods and bicycle supplier but they would also provide after sales and servicing on the site. The new building would enable them to bring the cycle part of the business to Thetford. Currently this contract employed 55 people and with this expansion they were expecting to be able to employ more.

**Deferred, but the Officers be authorised to approve after the resolution of various outstanding matters from the Outline approval, including the Master Plan, Development Brief, landscaping and energy performance.**

Mr Lamb abstained from voting.



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- (g) Item 7: 3PL/2008/0960/CU: Attleborough: Quick Stop, Church Street: Change of Use from A1 shop to A5 Hot Food for Mr D Ozcan

Mr Kiddle-Morris declared a personal interest in this item as he knew the architect (agent).

The Principal Planning Officer introduced this application for a change of use of part of a mini supermarket to a hot food take-away. The premises already had two doorways and was therefore readily convertible. There were no proposals to change the external appearance.

The site was within the Conservation Area of Attleborough, opposite to St Mary's Church and was, until about five years ago, a fish and chip shop.

The Town Council were objecting on the grounds that there were too many take-away shops in the town, but there was no policy within the Local Plan or PPS6 to limit the types of retail premises in this location.

The Environmental Health Officer had no objection subject to conditions. If the hours of operation caused problems these could be reconsidered through the late night license review process.

Mrs Howard-Alpe (Ward Representative) felt that the Conservation Area needed to be protected from this sort of unsightly development which would add to already existing problems caused by youths loitering in the vicinity and dropping litter.

Mr Byrne, also a Ward Representative agreed that this was an eye-sore in a lovely part of Attleborough and asked about flues and smells.

Another Member was also concerned about the potential effect of these on local residents and thought this was a reason for refusal.

**Approved, as recommended**

(The vote was 6 for and 6 against and the Chairman used her casting vote to support the recommendation).

- (h) Item 8: 3PL/2008/0975/O: Caston: White House, The Street: Erection of one 3 bed detached bungalow, one 4 bed detached house and two 4 bed semi-detached houses for Miss A Bustard

This was an outline application with only access and layout to be considered. A previous application for eight dwellings on the site and the demolition of the White House had been refused on grounds of density, layout and failure to enhance. The Committee had raised concerns about the loss of the White House. This property was omitted from the current application.

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The current proposal was for one two storey site frontage property in the style of the White House and three properties to the rear, designed to look like outbuildings to the White House.

The Parish Council and some local residents were objecting to the proposal and the Council's Housing Officer had requested a contribution towards affordable housing as part of the site was outside the Settlement Boundary. This was not considered appropriate however, as only a very small amount of the site was outside.

The scheme was considered to be in keeping with this part of Caston, related well to adjoining buildings and was recommended for approval.

Mr Haggett, an objector, was pleased that the White House was to be kept but concerned at the loss of some of the adjacent wildlife meadow to garden land. He was worried about flooding and also about the possible impact on the water vole run to the site frontage, particularly in relation to the provision of the visibility splays required by Highways.

Mr Taylor, speaking for the applicant, told Members that their previous comments had been taken on board and this scheme reflected their requirements. The White House was to be retained and the number of dwellings had been reduced. The Flood Risk Assessment confirmed the development would not have any drainage impact and the highway arrangements could improve conditions at the site frontage.

A Member was concerned that the White House was not included in this application and asked if its retention could be conditioned. The Council's Solicitor said it would be difficult to enforce this as it was outside the application site and it was hard to protect non-listed buildings. He suggested that the applicant could be asked to retain the White House but not forced to do so.

The agent said that he was sure the applicant would be willing to enter a legal agreement requiring the retention of the White House.

The Development Services Manager reminded Members that the previous application (which included the demolition of the White House) was at appeal. He asked if Members would be willing to approve this application subject to the suggested legal agreement. If this failed to be signed the application would come back to Committee.

**Deferred, but the Officers be authorised to approve on completion of a legal agreement to ensure retention and restoration of the White House and subject to conditions including the requirement for the reserved matters application to be in accordance with the indicative design.**

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(i) **Item 9: 3PL/2008/1020/O: Attleborough: 102 Besthorpe Road:  
Small development of eight dwellings for Mr Brian Self**

This application for residential development was in outline with only access and layout to be determined. The site formed part of land to the rear of the applicant's dwelling. The scheme was in principle acceptable. The land was within the Settlement Boundary and the layout and orientation of the dwellings did not lead to loss of amenity. The main issue was the access.

Plans and photographs of the site were shown including pictures of a mini roundabout in close proximity to the site entrance.

The Highways Authority objected strongly to this proposal because of the potential detriment to highway safety caused by the increase in traffic accessing the highway in such close proximity to the roundabout.

Mr Stasiak (Ward Representative) spoke on behalf of the applicant who had lived there for years and said the town had grown around the site. He said that there were speed humps along the whole length of Besthorpe Road. The roundabout had proved a complete failure. Large vehicles could not get round it. A suggestion for the site access road to be off the roundabout had been rejected.

He showed Members a photograph of a nearby T-junction which served 60 dwellings and pointed out that the proposed access road for this application (for eight dwellings) was two metres wider than that. He suggested that if the roundabout was replaced with a T-junction the application would be acceptable.

Mrs Howard-Alpe, also a Ward Representative for Attleborough, agreed with the comments about the roundabout and said that lorries had to mount the pavement or go the wrong way to get round it. She said the Town Council had made representation to Norfolk County Council about it.

After general discussion about the access Members voted against the recommendation for refusal.

**Approved, subject to conditions, as it was an ideal site for housing.**

Members confirmed that they would like officers to write to Norfolk County Council expressing concerns about the roundabout.

**Notes to the Schedule**

The following persons were in attendance to speak on the following items:

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<u>Item No</u>	<u>Speaker</u>
1	Mrs Ball – Ward Representative Mr Nourse – Agent Laura Handford – PWHA
2	Mr Ivory – Town Council Mr Took – Objector Mrs Malyon – Supporter Mr Osborn – Supporter Mr Clark - Agent
3	Mrs Currie – Objector Mr Jolly - Applicant
4	Mr Hill - Agent
5	Lt Col Lloyd – For Applicant Maj Daisey – For Applicant Mr Chantry – For Applicant
6	Mr Jones – Agent Mr Basey-Fisher - Applicant
8	Mr Haggett – Objector Mr Taylor – For Applicant
9	Mr Stasiak – Ward Representative

**Written Representations taken into account**

<u>Reference No</u>	<u>No of Representations</u>
3PL/2008/0214/F	5
3PL/2008/0607/F	13
3PL/2008/0660/F	2
3PL/2008/0722/F	3
3PL/2008/0960/CU	1
3PL/2008/0975/O	9
3PL/2008/1020/O	4

**134/08 ASHILL: GOOSE GREEN: SEVEN RESIDENTIAL UNITS IN 3 BLOCKS WITH ASSOCIATED ACCESS AND CAR PARKING FOR PEDDARS WAY HOUSING ASSOCIATION: APPLICATION REFERENCE: 3PL/2008/0214/F (AGENDA ITEM 10)**

The Principal Planning Officer introduced this full application for seven affordable houses on a site to the rear of 1–7 Goose Green and the provision of formalised parking on The Green to the front of those properties.

The development would involve the removal of trees including a Black Poplar which had recently been served with a Tree Preservation Order. The scheme was visually in keeping with the locality in terms of scale and would not cause any loss of amenity to existing occupants. It was considered a good use of a brownfield site and would provide much needed affordable housing. The formalised parking would overcome existing informal arrangements. Although the loss of the protected tree was regrettable, on balance the benefits outweighed the loss.

Mr Nourse, the agent, said that the mix of two and three bedroom dwellings would meet a specific local need and would be built to Level 3 Code for sustainability. Additional parking would be provided and

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four new trees would be planted in the formalised parking area on the green where they would be visible to more people.

Mrs Ball, Ward Representative, was concerned at the loss of the tree. She said that as the land had come forward as a 'windfall' site the Housing Association could afford to lose one house to retain the tree. She also asked if it could be specified that the housing was for local people.

A Member thought this was a terrific site for much needed affordable housing but felt that the design and layout could be improved. He also asked if the formalised parking could be required to be completed before commencement on site.

The Solicitor said the Committee had to be satisfied that the applicant had sufficient control of the land to provide the parking and planting on the green.

The Chairman asked the Tree Preservation Order Review Officer if it was possible to develop the land and protect the tree. He said that root protection could be placed under the tree.

One Member felt that the Black Poplar was too important to lose but another felt that it would be a shame to lose a house and asked if replacement Black Poplars could be planted elsewhere. He also asked how to ensure that the houses were made available for local people.

Ms Handford representing Peddars Way Housing explained that all lettings were nominated by the Council and the Housing Enabling and Projects Officer confirmed that local people with the highest need would get these properties.

The Development Services Manager pointed out that the TPO was the subject of an appeal which would be heard on 11<sup>th</sup> September 2008.

**RESOLVED** to defer the application to await the outcome of the TPO appeal hearing.

**135/08 OXBOROUGH: CHURCH FARM: TWO FISHING LAKES, 1 WILDLIFE POND, CAR PARKING, VEHICULAR ACCESS, PATHS AND LANDSCAPING FOR MR I MONSON: APPLICATION REFERENCE: 3PL/2008/0722/F (AGENDA ITEM 11)**

This full application proposed the creation of two fishing lakes and a wildlife pond on land previously under cultivation. Spoil from the excavations would be spread on an adjacent field. The new access and parking area (to be laid with reinforced grass) would be on one side of the river Gadder and a footpath would lead to a bridge over the river and around the lakes providing disabled access. 35 pegs were proposed in total.

A similar application had been withdrawn last year and this scheme overcame previous concerns.

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A range of bodies had been consulted re ecology, biodiversity, protected species and breeding birds. No objections had been received.

Letters of representation raised concerns in relation to the impact of the proposal and harm to wildlife and otters.

Mr Hill, speaking for the applicant, said that this proposal had been significantly modified to overcome previous concerns and extra supporting information had been supplied. He confirmed that the site did not meet the requirements to be a County Wildlife Site. The proposal would however improve the bio-diversity of the site, increase the total wet level habitat and provide aquatic habitat. Approval would secure the future ecological management of the site.

A Member asked how otters would be kept out of the site and was told that the situation would be monitored and if otters were found to be present an electric fence would be used around the edge of the footpath.

Another Member asked how the lakes would be created if the land was dry and how the water would be retained.

The agent explained that the site was below the level of the river Gadder and once excavated would fill with water naturally.

**RESOLVED** to approve the application, subject to conditions.

**136/08 APPLICATIONS DETERMINED BY THE DEVELOPMENT SERVICES MANAGER (AGENDA ITEM 12)**

This item was noted.

**137/08 APPEALS DECISIONS (AGENDA ITEM 13)**

The Development Services Manager told Members that there had been a lot of discussion between officers but they could not explain the increase in the number of appeals being lost. It was felt that there had been a shift in the way that Inspectors were making their decisions.

He would be having discussions with both Principal Planning Officers to try to address this problem. It was apparent that some very small sites and other backland pieces of land were receiving permission. It seemed likely that Inspectors had received strong guidance to approve housing.

The intention was to give Members training on the appeals process and at the same time provide them with an analysis of this shift in decision making.

He referred to the Thompson appeal, the first in the list, and said there had been a lot of debate about whether the building was in the curtilage of a Listed Building. It had been thought that the Inspector might not agree with this assessment. However, the Inspector had agreed and yet he had still allowed the replacement dwelling, which

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seemed like a compromise decision.

This and other issues would be discussed at the training session.

This item was noted.

**138/08 APPLICATIONS DETERMINED BY NORFOLK COUNTY COUNCIL  
(AGENDA ITEM 14)**

This item was noted.

The meeting closed at 2.46 pm

CHAIRMAN