

Address Line 1  
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Post Code

3 November 2015

**Enforcement action regarding Land at the western end of Thorpe Island**

**Enforcement Reference** :  
**Description** :  
**Address** : Land at the western end of Thorpe Island  
**Applicant** : Mr Roger Wood

To the other occupiers of the site – boats in the basin

Dear xxxx

We strongly advise you to take legal advice on the contents of this letter, if you are in any doubt as to its likely consequences.

As you will be aware, the land at the western end of Thorpe Island has been the subject of a long running planning enforcement case. The history of the site is as follows. In November 2011 the Broads Authority served Enforcement Notices on the land requiring the landowner, amongst other things, to cease the use of the basin for the mooring of boats, remove the boats from the basin and to remove all the jetties and pontoons. The landowner appealed against the Enforcement Notice and in October 2014 a Planning Inspector granted a planning permission for up to 25 boats, on the condition that certain information was provided for approval by the Broads Authority within 3 months. This included the need for details of the proposed landscaping scheme and the layout of any moorings. The information was not provided, so the planning permission lapsed and there is now no planning permission. The landowner appealed against the October 2014 decision in the High Court, but this challenge was dismissed on 6 August 2015. The landowner then asked the Court of Appeal for permission to appeal against the decision of the High Court, but this request was refused on 9 October. The request to renew the application for permission has no realistic prospect of success.

The result of this will be that the landowner must comply with the requirements of the November 2011 Enforcement Notice. I have written to Mr Wood and to Cayenne Marine Limited and told them this.

The law also says that anyone with an interest in the land must also comply with the requirements of the November 2011 Enforcement Notice. This will include anyone with a boat moored in the basin.

The Broads Authority understands that you have a boat moored in the basin, which is a breach of the Enforcement Notice. It is a criminal offence to fail to comply with the terms of the Notice. Furthermore, we give you formal notice that unless you cease any planning breach for which you are personally responsible for by **18th December 2015**, we are likely to apply to the Court for an Injunction to restrain those breaches of planning control without further notice.

As well as the breaches which were covered by the Enforcement Notice, there are also a number of other planning breaches on the site. These include the residential use of boats moored in the basin, the installation of houseboats in the basin, the use of the land for the stationing of purpose-built motor homes and vans used as motor homes (some of which are being used for residential purposes) and the use of the river adjoining the basin as a mooring for boats, some of which are being used as a residence. Whilst these breaches were not covered by the November 2011 Enforcement Notice, the Broads Authority wants to stop them because they do not have planning permission. Furthermore, all of these breaches of planning control are unsightly and adversely affect the character and appearance of the conservation area and local amenity.

Yours faithfully,