

Appeals to the Secretary of State: Update
Report by Administrative Officer

Summary: This report sets out the position regarding appeals against the Authority since May 2013 and provides a summary of the Decisions on Appeals by the Secretary of State.

Recommendation: That the report be noted.

1 Introduction

1.1 The attached table at Appendix 1 shows an update of the position on appeals to the Secretary of State against the Authority since May 2013. It lists those appeals where decisions have been received in the last month and have yet to be made.

2 Financial Implications

2.1 There are no financial implications.

Background papers: BA appeal and application files

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Date of report: 4 July 2014

Appendices: APPENDIX 1 – Schedule of Outstanding Appeals to the Secretary of State since January 2013

APPENDIX 1

**Schedule of Outstanding Appeals to the Secretary of State
since May 2013**

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
6-12-11 May 2013	Appeal Ref E9505/C/11/2165163, BA/2011/0006/ENF BA/2010/0040/UNAUP4 The Island, Yarmouth Road, Thorpe St Andrew Mr Roger Wood	Appeal against enforcement concerning unauthorised development of "marina": The construction and installation of two jetties, the erection or standing of a green metal storage container, the use of part of the land for the standing of motor engines and the change of use of the site for the mooring of boats without the grant of planning permission	Committee authorisation 5 December 2008 and subsequent reports to Committee Notification Letter and Questionnaire sent by 20-12-11 Statement sent 03-02-12 Public Inquiry to be held on 1/2-05-12 Decision issued 15 June 2012 Decision challenged July 2012 and subsequently conceded by Secretary of State in May 2013 Appeal to be re-heard by written representations Statements submitted by 26-11-13 Inspector's Site Visit 28-01-14 Hearing 08-7-2014
9 -10-13	APP/E9505/C/13/2206420 BA Appeal Ref - BA/2013/0011/ENF BA/2012/0044/UNAUP3 Site at Land Known As Newlands Caravan Site Or Three Rivers	Appeal against Enforcement Unauthorised installation of mooring platform	Committee consideration 28-03-2013 Appeal documents received 01-10-2013 Questionnaire and notification letter sent by 23-10-2013

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
	<p>Caravan Site, Station Road, Geldeston, NR34 0HS</p> <p>Mr James Bromley</p>		<p>Statement sent by 19-11-2013</p> <p>Proofs of Evidence submitted 11-04-14</p> <p>Public Inquiry scheduled for 13-05-2014 to be held at Village Hall, The Street, Geldeston</p> <p>Appeal withdrawn 8 May 2014</p> <p>Costs application submitted by LPA.</p> <p>Full award of costs made to LPA. Details of claim submitted to Appellant.</p>
12-11-13	<p>APP/E9505/C13/2208559 and 2208560 BA/2012/0056/UNAUP2 Broads Authority</p> <p>Appeal Ref: BA/2013/0012/ENF & BA/2013/0013/ENF Heathacre Barns The Common Chedgrave</p> <p>Mr David Younger and Mrs Elizabeth Younger</p>	<p>Appeal Against enforcement (Former Piggeries) Unauthorised conversion and change of use to residential</p> <p>To be dealt with by Inquiry.</p>	<p>Committee Consideration 01-03-2013</p> <p>Appeal documents received 08-11-2013</p> <p>Questionnaire and notification letter to be sent by 26-11-13</p> <p>Statement of case sent 23-12-13</p> <p>Proofs of Evidence to be submitted by 09-05-14</p> <p>Public Inquiry held 10&11 June 2014 at Methodist Hall, Loddon</p>

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
27-1-14	APP/E9505/A/14/221233 7 BA/2013/0170/FUL BA/2014/0002/REF Broads Edge Marina, Mill Road, Stalham David Phillip Investments Ltd.	Appeal against refusal Provision of twelve camping pitches and the demolition of existing and erection of replacement toilet and shower building	Committee Decision 8-11-13 Questionnaire and Notification letter sent 29-01-14 Statement of Case submitted 03-03-14 Inspector's site visit 27 March 2014 Appeal Allowed 6-6-2014
22-05-14	APP/E9505/D/14/2218 853 BA/2013/0385/FUL BA/2014/0001/HHAPP Hales Cottage, 2 Staithe Road, West Somerton, NR29 4AB Mr Clinton Button	Appeal against refusal Householder appeal procedures. Proposed extensions to rear of the dwelling	Delegated decision 10-3-14 Questionnaire and Notification letter sent 27-5-14 (No statement of case required)