

**Enforcement of Planning Control**  
**Enforcement item for consideration: Bathurst, Potter Heigham**  
Report by Head of Planning

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|------------------------|--|
| <b>Summary:</b>        | This report updates members regarding the unauthorised installation of decking at a riverside property in Potter Heigham and prevalence of comparable decking in the vicinity.                     |
| <b>Recommendation:</b> | That authorisation is granted for any necessary enforcement action to secure the removal of the decking and the restoration of the site to its condition prior to the installation of the decking. |

**Location:** 'Bathurst' PH51North East Riverbank, Potter Heigham

## **1 Background**

- 1.1 On 9 January 2015 the Planning Committee received a report regarding the installation of new decking at the riverside property Bathurst, PH51North East Riverbank, Potter Heigham.
- 1.2 They were advised that extensive decking had been installed forward of the property up to the riverbank and that the extent and location of the decking had an adverse impact on the character and appearance of the riverbank.
- 1.3 The report recommended that enforcement action be taken requiring the removal of the decking.
- 1.4 The Planning Committee deferred making a decision on the report in order for clarification to be provided of the extent of the ownership of the plot and for officers to provide information on the number of other plots in the area which had installed comparable decking.

## **2 Update**

- 2.1 Officers have undertaken a further site visit to ascertain the plot details. It is the case that the entire plot measures approximately 34m wide x 13m deep and comprises a grassed area of 14m wide by 13m deep downstream of the property plus an area of decking measuring 13m wide by 5m deep immediately forward of the property. A plan showing the location and layout of the plot is attached at Appendix 2.

- 2.2 Officers have also reviewed the photographic record (dated spring 2014) covering the length of the Potter Heigham bungalows from The Martham Boat Company on the Martham bank opposite Candle Dyke to 'Time and Tide' which is the last bungalow before Thurne Mouth. There are seven bungalows with extensive decking forward of the principle elevation and running to the river's edge, of which four have rather small frontages meaning that the area of decking is quite small. Whilst there is decking to a number of other bungalows, the weathering suggests that it has been in place for quite some time.
- 2.3 The agent for the landowner advises that planning permission has previously been granted elsewhere in the area for a level of decking comparable to that at Bathurst, but officers have not been able to substantiate this.

### **3 Assessment and Action Proposed**

- 3.1 Officers are of the view that the extent of the decking at Bathurst is in excess of the decking at any other property along this stretch of river and that in addition to having an adverse impact on the character and appearance of the area, its retention would establish an undesirable precedent.
- 3.2 As outlined in the report to the 9 January 2015 meeting of the Planning Committee, the development is contrary to Policy POT2 of the Development Plan. It is the intention of this policy to restrict domestic development favouring the small scale and more open character of the riverside plots. The front lawns add significantly to the character of the plots and when existing, reduce the visual impact of the fairly built up banks. It is therefore preferable to see as much open and green space on plots as possible. There is a general policy presumption against the extent of decking which has currently been installed and which effectively presents a fully decked frontage to the property.
- 3.3 It is appreciated that these riverside plots often have an associated mooring facility. It is therefore not considered wholly uncharacteristic to have structures like decking by the water to create a safe at level access for boats. It has been suggested to the owner that he might like to submit an application for a reduced scheme, which would be more likely to be acceptable.

### **4 Action Proposed**

- 4.1 It is proposed to serve an Enforcement Notice requiring the removal of the decking. It is proposed that a compliance period of three months is given. Authority is also sought to prosecute the owner in the event that the Enforcement Notice is not complied with.

### **5 Financial Implications**

- 5.1 There may be legal costs associated with this course of action.

## **6 Conclusion**

- 6.1 That authority is given for officers to take appropriate enforcement action in respect of this breach of planning control

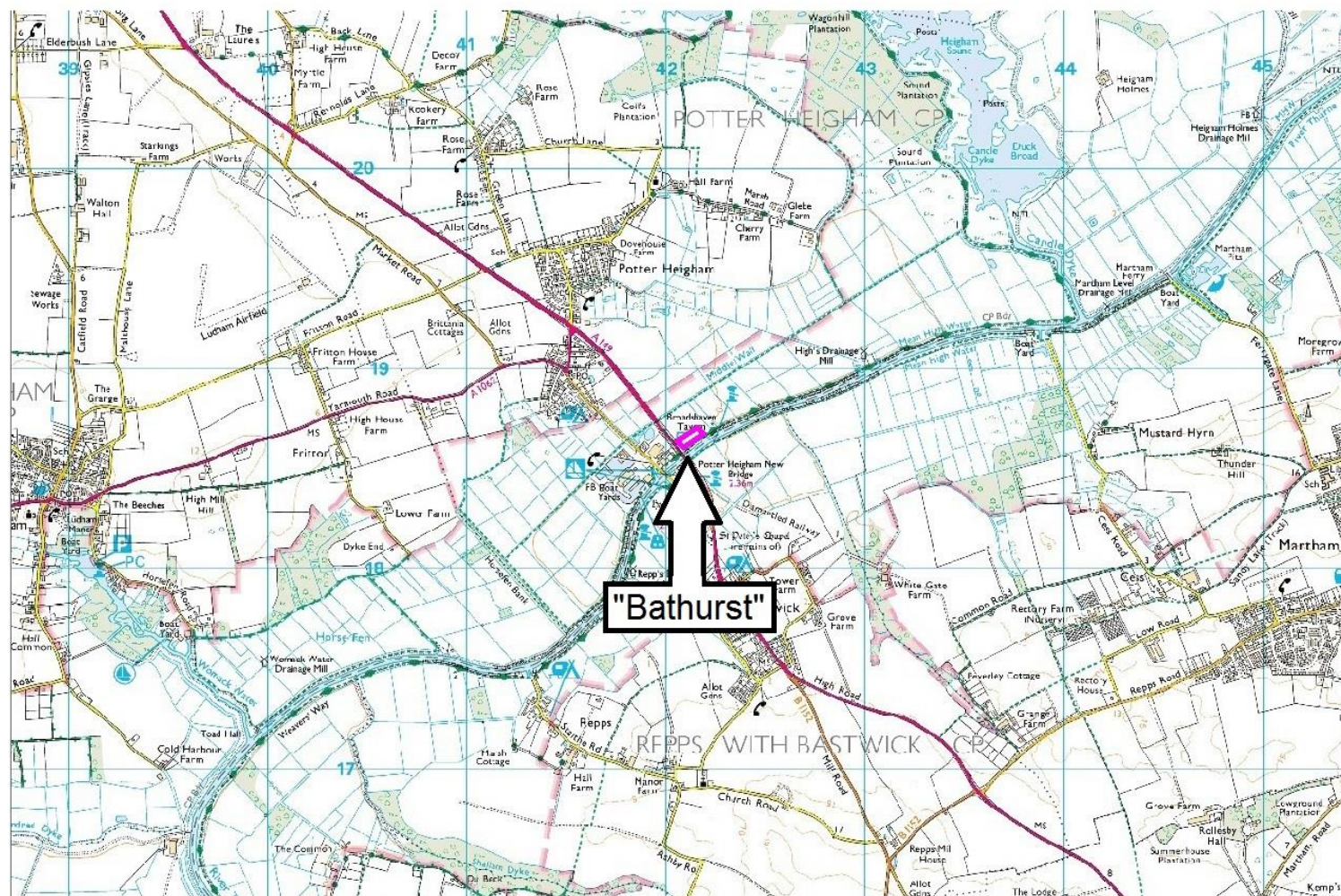
Background Papers: Broads Authority DC Enforcement Files: BA/2014/0034/UNAUP2

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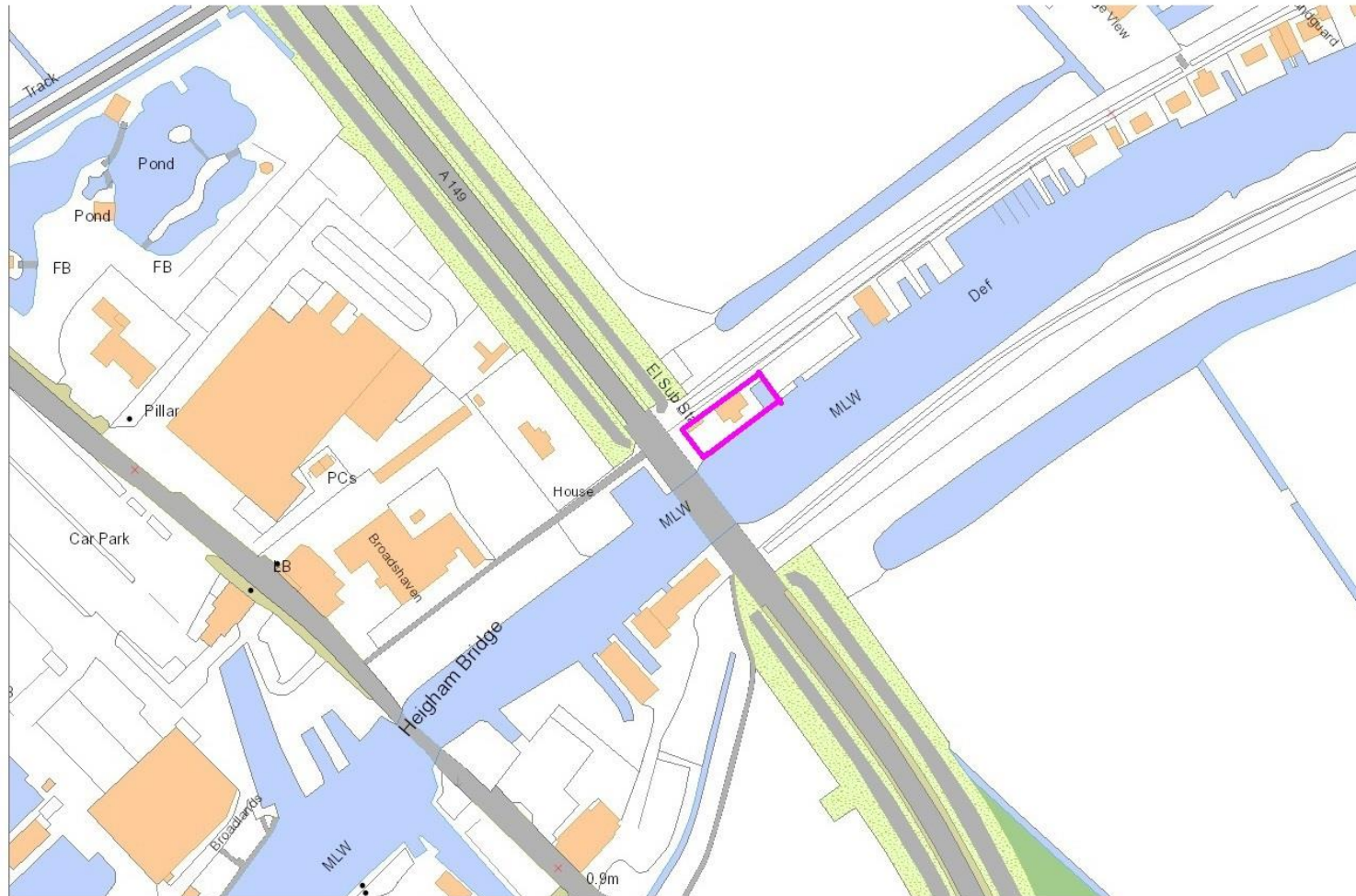
Appendices: APPENDIX 1 – Location Plan  
APPENDIX 2 – Layout of plot

## ‘Bathurst’ PH51 North East Riverbank, Potter Heigham



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