

**Appeals to the Secretary of State**  
Report by Administrative Officer

**Summary:** This report sets out the position regarding appeals against the Authority since January 2013.

**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 January 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 16 January 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 January 2013

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
6-12-11	<p><b>Appeal Ref E9505/C/11/2165163, BA/2011/0006/ENF BA/2010/0040/UNAUP4</b> The Island, Yarmouth Road, Thorpe St Andrew</p> <p><b>Mr Roger Wood</b></p>	<p>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</p>	<p>Committee authorisation 5 December 2008 and subsequent reports to Committee</p> <p>Notification Letter and Questionnaire sent by 20-12-11 Statement sent 03-02-12</p> <p>Public Inquiry to be held on 1/2-05-12</p> <p>Decision issued 15 June 2012.</p> <p>Decision challenged July 2012 and subsequently conceded by Secretary of State in May 2013</p> <p>Appeal to be re-heard by written representations Statements submitted by 26-11-13</p> <p><b>Inspector's Site Visit 28-01-14</b></p>
25-1-13	<p><b>APP E9505/X/12/2190145 BA/2011/0345/CLUED</b> River Barn, Church Lane, Surlingham</p> <p><b>Mr Simon Mitchell</b></p>	<p><b>Appeal against refusal of Certificate of Lawful Use (written representations)</b> Existing use of a dwelling house and <i>associated slipway</i></p>	<p>Delegated Decision on 27-06-12</p> <p>Questionnaire and Notification Letters by 8-02-13</p> <p>Statement sent 8-03-13</p>

Start Date of Appeal	Location	Nature of Appeal/ Description of Development	Decision and Date
			Planning Inspector Site Visit scheduled for 8 – 1 – 14  <b>Appeal Dismissed 15-1-14</b> <a href="#">Mr Mitchells Appeal Documents (including Decision)</a>
22-03-13	<b>APP/E9505/A13/2194 788/ BA/2013/0002/REF BA/2012/0377/FUL</b> Adjacent To Box End Grebe Island Lower Street Horning  <b>Mr and Mrs Nigel Foster</b>	<b>Appeal against refusal (Written representations)</b> Proposed new boathouse together with new and replacement quayheading	Delegated Decision on 29-01-13  Questionnaire and Notification Letters sent 2-04-13  Statement sent 3-05-13  <b>Inspector's Site Visit 28-01-14</b>
19-04-13	<b>APP/E9505/C13/ 2195868</b> Site adjacent to Land at North End Thurlton  <b>Mr Burlingham</b>	<b>Appeal against Enforcement (Written Representations)</b> Unauthorised storage of non-agricultural items	Committee consideration 12-10-12 Enforcement Notices re-served 25-02-13  Notification letters and Questionnaire sent by 30-04-13  Statement sent by 31-05-13  <b>Planning Inspector site visit completed 8 – 1 – 14</b>
11-09-13	<b>APP/E9505/C/13/ 2204390 BA/2013/0009/ENF</b> The Old Grain Store Wainford Road Bungay  <b>Mrs Helen Brundle</b>	<b>Appeal against Enforcement–</b> Change of use of land from single residential dwelling house to a dwelling house in use as self-contained flats. <b>(Written Representations)</b>	Committee consideration 7-12-12  Appeal documents Received 28-08-2013  Questionnaire sent 26-09-13  Statement sent by

<b>Start Date of Appeal</b>	<b>Location</b>	<b>Nature of Appeal/ Description of Development</b>	<b>Decision and Date</b>
			23-10-13 <b>Inspector's Site Visit</b> <b>28-01-14</b>
9 -10-13	<b>APP/E9505/C/13/ 2206420</b> BA Appeal Ref - BA/2013/0011/ENF <b>BA/2012/0044/ UNAUP3</b> Site at Land Known As Newlands Caravan Site Or Three Rivers Caravan Site, Station Road, Geldeston, NR34 0HS  <b>Mr James Bromley</b>	<b>Appeal against Enforcement</b> Unauthorised installation of mooring platform	Committee consideration 28-03-2013  Appeal documents received 1-10-2013  Questionnaire and notification letter sent by 23-10-2013  Statement sent by 19-11-2013  Proofs of Evidence to be submitted by 11- 04 - 14  Public Inquiry scheduled for 13-05-2014
12-11-13	<b>APP/E9505/C13/ 2208559 and 2208560</b> <b>BA/2012/0056/UNAUP2</b> <b>Broads Authority</b> <b>Appeal Ref:</b> BA/2013/0012/ENF & BA/2013/0013/ENF Heathacre Barns The Common Chedgrave  <b>Mr David Younger and Mrs Elizabeth Younger</b>	<b>Appeal Against enforcement</b> (Former Piggeries) Unauthorised conversion and change of use to residential  To be dealt with by Inquiry.	Committee Consideration 01-03-2013  Appeal documents received 08-11-2013  Questionnaire and notification letter to be sent by 26 -11-13  Statement of case sent 23-12-13  Proofs of Evidence to be submitted by 09-05-14  Public Inquiry scheduled for 10&11-06-2014

<b>Start Date of Appeal</b>	<b>Location</b>	<b>Nature of Appeal/ Description of Development</b>	<b>Decision and Date</b>
2-01-14	<b>APP/E9505/A/13/2210 570</b> <b>BA/2013/0134/COND</b> Site at Ferry Quay, Ferry Road, Horning  <b>Mr T Wood</b>	<b>Appeal against refusal</b> Removal of conditions 2, 3 and 4 of PP - PF/98/0373 - to allow ground floor workshops to be used as ancillary accommodation to dwellings above	Delegated decision 5-8-13  Questionnaire and Notification letter sent 15-01-14  Statement of Case by 13-2-14