

**Enforcement of Planning Control**  
**Disused and derelict buildings at Former Waterside Rooms, Station Road,  
Hoveton**  
Report by Head of Planning

<p><b>Summary:</b> Buildings at Station Road, Hoveton are in poor condition and are having an adverse impact on the amenity of the area.</p> <p><b>Recommendation:</b> That Members authorise the serving of a s215 Notice requiring remedial works to be undertaken</p>
--

**1. Legislative provision**

1.1. Section 215 of the Town and Country Planning Act 1990 confers on a Local Planning Authority (LPA) the power to take action in respect of land (or buildings on land) which is adversely affecting the amenity of an area through the lack of proper maintenance. It states:

(1) If it appears to the local planning authority that the amenity of a part of their area, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.

(2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.

1.2. These so-called 'Untidy Land Notices' are often used by an LPA to require the repair (and subsequent reuse) of buildings which have fallen into disrepair or to tidy up land which has become derelict. Historically, because land values in the Broads are high which tends to mean that land and buildings are maintained, the Broads Authority as an LPA has not had much occasion to use these powers.

**2. Site location and description**

2.1. The subject site is located on Station Road, Hoveton and comprises a former public house, known as the Three Horseshoes PH and the Waterside Rooms, which has been closed since the 1990s. It fronts Station Road opposite the rear of the Roys Department Store on the eastern elevation and the river Bure on the western side. There is a tiled patio area on the west side of the building which leads to an open grassed area which has been incorporated

into the beer garden of the Kings Head PH which occupies the adjacent site. There is a small public car park to the north of the building, beyond which are located commercial premises including the Broads Authority's Tourist Information Centre. The building is sited within the central commercial area of Hoveton and is on the main pedestrian route through to the Tourist Information Centre, longer stay car parks and the railway station as well as being very visible from the river.

- 2.2. The building is a two storey structure, broadly square in plan form and is constructed of brick with a flat roof. The building originally had minimal fenestration or other openings on the Station Road elevation, whilst the river facing elevation was broadly open to take advantage of the river views, however all the openings are currently boarded up. The curtilage area surrounding the building comprised a 7m deep amenity area to the Station Road frontage and a hard surfaced area giving on to grass on the river side. There is no car parking associated with the site.
- 2.3. The building has been disused for over 20 years and is in a state of disrepair. The brickwork appears sound, but the roof is damaged in places (including root damage from self sown vegetation) and the cladding is variously loose, damaged and in poor condition. The area surrounding the building is significantly overgrown and there has been tipping in parts of the site. Overall, the building contributes a strong sense of neglect and dereliction to this part of Hoveton village.
- 2.4. The subject site is in the control of Greene King, who also own and manage the Kings Head PH to the south. Located on the Station Road frontage between the Kings Head PH and the subject site there is a pair of cottages, also in the same ownership, which are used for storage. To the rear of these is a former coach house (also used for storage) which sits on the northern boundary of the pub's car park. Both of these buildings are also in poor condition and both also contribute to the sense of local disrepair.

### **3. Proposed action and rationale**

- 3.1. As a consequence of its condition, the former Waterside Rooms building is having an adverse effect on the amenity of the area. This effect is manifested through a significantly detrimental impact on the appearance of the area, which is accorded the same status as a National Park, and is exacerbated by the prominence of the location on one of the main thoroughfares through the village, being immediately opposite the Roys Department Store and being visible from the river as well as from other commercial premises elsewhere on the river frontage. This effect is therefore being directly experienced by pedestrians and car drivers on Station Road, river users and persons using the riverside footpath and the tourist and visitor facilities in the immediate area.
- 3.2. The adjacent pair of cottages and former coach house are read as part of this group of buildings, particularly from the riverside elevation. Whilst it is acknowledged that they are in better condition than the former Waterside

Rooms (possibly as a consequence of their remaining in use) repair works are required and currently they do exacerbate the sense of disrepair locally.

- 3.3. The Broads Authority has a statutory duty to protect the appearance of the area and is given the powers under s215 of the 1990 Act to require the remediation of land or buildings that are having an adverse effect on local amenity.
- 3.4. It is proposed to serve a s215 Notice on the landowners requiring that they undertake works to improve the external appearance of the buildings. In respect of the former Waterside Rooms, these works will include removal of the defunct extraction equipment, repair and repainting of fascias and much of the external cladding, removal of rubbish and clearance of the overgrown surroundings. The works required to the pair of cottages and the coach house will be primarily maintenance, but completion of these works would improve the quality of the immediate area.
- 3.5. Should the Notice not be complied with, the following actions are open to the Authority:
  - a) A prosecution in the Magistrates Court for non-compliance with the s215 Notice, which could result in a substantial fine if found guilty of an offence; and/or
  - b) Direct action by the Authority to carry out the works required by the Notice followed by action in the County Court to recover all expenses and costs reasonably incurred by such action; and
  - c) Registration with HM Land Registry of a charge on the property, recoverable should the property be sold.
- 3.6. It is recommended that option (a) would be pursued in the first instance.

#### **4. Financial implications**

- 4.1. There will be financial implications if the Broads Authority proceeds with prosecution.

#### **5. Recommendation**

- 5.1. That authority be granted to serve a s215 Notice requiring the buildings at the Former Waterside Rooms, the adjacent pair of cottages and coach house to be tidied.

Author: Cally Smith  
Date of report: 1 August 2018

Appendices: Appendix A – Site plan

# APPENDIX A

