

## **Enforcement of Planning Control**

**Enforcement Item for Consideration:  
Installation of Four Static Caravans in car park of  
Beauchamp Arms Public House**  
Report by Planning Officer (Compliance and Implementation)

<b>Summary:</b>	Unauthorised change of use for use of land for installation of four static caravans along south eastern boundary of Beauchamp Arms public house car park.
<b>Recommendation:</b>	That officers are authorised to serve an Enforcement Notice requiring the removal of the unauthorised static caravans and in the event of non-compliance to prosecute at magistrate's court.
<b>Location:</b>	Land at the Beauchamp Arms public house, Ferry Road, Carleton St Peter.

### **1 Background**

- 1.1 The Beauchamp Arms Public House is situated in a remote location between the villages of Claxton and Langley on the south bank of the River Yare. It is a very prominent building over three storeys with moorings for craft on the south bank and it immediately adjoins Buckenham Sailing Club which is to the south east of the Beauchamp Arms alongside the River Yare.
- 1.2 Historically the Buckenham Ferry operated here across the River Yare and for that reason a public footpath runs to the public house down the access track, called Ferry Road, which is approximately half a mile long from the Norwich Road. The access track benefits from having mature trees on each side and a wide grass verge to the west and it is very prominent in the surrounding open marsh land.
- 1.3 In May 2018 officers became aware that a number of static caravans had been installed on land at the Beauchamp Arms PH. The owner did notify officers prior to their installation, claiming he already had planning permission but he was advised at the time that he did not and should not bring them on site in the absence of a permission; he was also advised that planning permission was to be granted. It should be noted that previously (in 2011) there were a number of unauthorised static caravans located at this site. However, following an enforcement investigation and negotiation they were removed by the landowner without the need to issue any formal notices. The land is still in the same ownership.

- 1.4 Since 2011 there have been no static caravans located at the site. The units which are the subject of this report comprise four large static caravans, some with broken windows and all pre-used. They are currently stored in the car park alongside the south eastern boundary of the car park. They are not in use and nor has the site been levelled or the units made ready for use. No supporting structures have been constructed around them but the owner has expressed his intention that they be hired out to fishermen as accommodation.
- 1.5 Officers met with the applicant at the site in late May 2018, by which time the units had been delivered to the site, but not located in the car park being instead alongside the access road to the public house immediately before entering the car park. He was again advised that it was not acceptable in planning terms to have static caravans at the site.
- 1.6 A subsequent site visit in early July established that the static caravans had been relocated to the car park of the public house, where they remain. The landowner was written to and given one month to remove them from the site. However, a follow up site visit in early August 2018 found that they had not been removed and remained located in the car park.
- 1.7 The owner was written to in mid-August and advised that a report would be taken to planning committee in mid-September seeking authority to serve an Enforcement Notice requiring the removal of the static caravans from the site.

## **2 The Planning Issues**

- 2.1 The standing of static caravans in this location constitutes a material change of use from land in the curtilage of the public house to land used for separate storage and planning permission is required. Currently the units are not in use for accommodation purposes, but should they be used as indicated by the landowner for accommodation for fishermen this would constitute a residential use, albeit for holiday purposes. Again, planning permission would be required.
- 2.2 The use of this site for the storage of caravans is contrary to development plan policy. The storage use is not linked in any reasonable or functional way to the adjacent public house use and the standing of the caravans has an adverse impact on the character and appearance of the local landscape. No justification has been provided for why they are required.
- 2.3 Looking at the expressed intention to use the units to provide accommodation for fishermen, it is clear that an objection would be raised against any new habitable accommodation in this location because the site is situated within the functional floodplain (Flood Risk Zone 3B) where such development is not permitted. The Environment Agency's flood risk compatibility table shows that within Flood Zone 3B only 'water compatible' uses would be acceptable, with an exception test required for 'essential infrastructure'. The provision of habitable accommodation is considered to be 'more vulnerable' to flood risk and therefore not considered an acceptable use.

2.4 It is considered that the unauthorised development is in conflict with development plan policy, particularly adopted development management policies DP1 and DP4.

### 3 Conclusion and Recommendation

3.1 No justification has been provided for the use of this land for the storage of static caravans, which do not appear to be associated with any lawful use on the site. It is not possible to make their installation acceptable in planning terms and because of the demonstrated unwillingness of the landowner to remove the static caravans from the site the serving of an Enforcement Notice is considered necessary to remedy the breach of planning control. A compliance period of three months is recommended.

3.2 In the event of non-compliance with the Enforcement Notice authority is sought to prosecute in the magistrate's court.

Background papers: Broads Authority Enforcement File BA/2018/0047/UNAUP3  
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Appendices: APPENDIX 1 - Site Map



