



Appeal Decision

Site visit made on 21 July 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 29th July 2025

Appeal Ref: APP/E9505/W/25/3363918

Little Quay, 7 North West Riverbank, Potter Heigham, Norfolk NR29 5ND

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Keith Thomas against the decision of the Broads Authority.
- The application Ref is BA/2024/0436/HouseH.
- The development proposed is open structure pavilion/boathouse over mooring

Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of the application, the boathouse had been constructed. However, at the time of my site visit the structure had been reduced in size and amended drawings were submitted. Nevertheless, the Council determined the application based on the original drawings which were reflective of the original boathouse dimensions. The appeals process should not be used to evolve a scheme, and it is important that what is considered in this appeal is essentially what was considered by the Council, and on which interested people's views were sought. Consequently, I have not considered the amended drawings in the determination of this appeal.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of No 6, with particular regard to dominance and loss of light.

Reasons

Character and appearance

4. The appeal site is rurally located on the northwest riverbank in Potter Heigham, along a stretch of the River Thurne that is built-up with an array of lightweight, small-scale development. The development forms a solid boundary towards the riverside path while maintaining an open aspect towards the river. Whilst there are some boathouse structures of varying scales, opacity and permanence, the majority of the riverside plots have open moorings. The site itself comprises a timber chalet and shed set back from the rivers edge with a modest open garden area.
5. Although the proposed boathouse would be well constructed using high-quality materials with the same roof pitch as the shed, it would be substantially taller than and would dominate the shed when viewed from the river. Whilst the boathouse

would not connect to the existing structures and would be open sided, it would increase and consolidate the built mass on site. As such, it would visually and spatially reduce the openness surrounding the chalet. Moreover, it would obstruct views from the river to the land behind the chalets.

6. Consequently, I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies POT2 and DM43 of the Local Plan for the Broads (May 2019) (LP), where they require development to respond positively to a site's distinctive features, retain open areas on riverside chalet plots and maintain views between the chalets.

Living Conditions

7. No. 6 is set back from the riverside and side boundary. It benefits from an open outlook towards the river, with a single kitchen window facing the appeal site on the northeast elevation.
8. Although the boathouse would be set back from the side boundary, it would be substantial in height and length and would extend beyond the riverside elevation of the neighbouring chalet. Whilst a medium sized cruising boat may be imposing, the boathouse would be permanent and would extend along a significant proportion of the boundary and protrude considerably above the fence line. The proposal would not disrupt the private views of the neighbouring occupiers towards the river, nevertheless, due to its position adjacent the boundary and its overall scale, the proposal would be a dominant feature when viewed from No 6.
9. I note that the riverside elevation of the neighbouring chalet faces southeast with the secondary kitchen window facing northeast. As such, I am satisfied that due to the orientation of the buildings and gardens and the distance between the boathouse and the boundary that any overshadowing caused by the proposal would be minimal and would not result in a harmful loss of light inside No. 6 nor its outdoor space.
10. Nevertheless, for the reasons given above, I conclude that the proposal would harm the living conditions of the occupiers of No. 6, with particular regard to dominance. Therefore, the proposal fails to accord with Policy DM21 of the LP, where it requires development to not have an unacceptable impact on amenity of neighbouring properties, including overbearing impacts and visual dominance.

Other Matters

11. I acknowledge the comments made by the appellant regarding the planning application process, including references to site visits and neighbour complaints/correspondence. However, these matters have not affected my decision, which is based on the planning merits of the proposal.

Conclusion

12. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the National Planning Policy Framework or other legislation, that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR