

Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 3 October 2019

Appeal ref: APP/Y3615/C/19/3227352

Land at Bullens Hill Farm, Stringers Common, Jacobs Well, Guildford, Surrey, GU4 7PR

- The appeal is made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeal is brought by Ms Patricia Faithfull against an enforcement notice issued by Guildford Borough Council.
- The notice was issued on 1 April 2019.
- The breach of planning control as alleged in the notice is "Without planning permission the material change in use of the land from agriculture to a mixed use of agriculture and the storage of motor vehicles".
- The requirements of the notice are: "i) Cease the use of the land for storage of motor vehicles ii) Remove from the hatched land all items associated with the unauthorised use including but not limited to, motor vehicles, motor mechanic equipment, perimeter fencing, any material laid to create a hard surface, lighting and lighting columns, security cameras and related equipment".
- The period for compliance with the requirements of the notice is: "3 months after this notice takes effect".
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

Summary of decision: The appeal is dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The appellant contends that more time is required to comply with the requirements of the notice in order for an alternative location to be found for the business. Therefore, she suggests the compliance period be extended to 6 months. However, I note that more than 5 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellant will effectively have had more than 2 months over the 6 months she desires to comply with the requirements of the notice.
2. In these circumstances, I see no good reason to extend the compliance period further and consider the 3 months given in the notice to be adequate. The ground (g) appeal fails accordingly.

Formal Decision

For the reasons given above, the appeal is dismissed and the enforcement notice is upheld.

K McEntee