



Appeal Decision

Site visit made on 23 November 2020

by M Savage BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2020

Appeal Ref: APP/J1915/C/20/3259434

**Land adjacent 108 Burnham Green Road, Burnham Green, Welwyn,
Hertfordshire AL6 0NQ**

- 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 made by Mr Mervyn Alstrom against an enforcement notice issued by East Hertfordshire District Council.
 - The enforcement notice was issued on 4 August 2020.
 - The breach of planning control as alleged in the notice is without planning permission, the material change of use of land from car park to land used for the commercial storage of cars.
 - The requirements of the notice are:
 - 1, Cease the use of the land for the commercial storage of motor vehicles
 - 2, Permanently remove the vehicles from the land.
 3. Remove all resultant debris and return the land to grass.
 - The period for compliance with the requirements is 3 months from the date this Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the appeal on ground (a) and the application for planning permission deemed to have been made under section 177(5) of the Act as amended have lapsed.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Procedural Matter

2. Although the appellant appealed under ground (a), the fee was not paid and so the deemed planning application has lapsed. I cannot therefore consider planning merits.

Ground (g)

3. An appeal on ground (g) is made on the basis that any period specified in the notice in accordance with section 173(9) falls short of what should reasonably be allowed.
4. The appellant's case under ground (g) is that his tenant has difficulties due to the Covid-19 pandemic and requests a period of 6 months. However, I have been provided with no substantive details as to what these difficulties are and why, as a consequence, such a significant period of time is required.
5. Whilst some of the vehicles may require towing due to their condition, I consider 3 months is sufficient and proportionate, taking into account the potential for delay which may be caused as a result of the Covid-19 pandemic. Accordingly, the appeal under ground (g) fails.

Conclusion

6. For the reasons given above I conclude that the appeal should not succeed.

M Savage

INSPECTOR