
Appeal Decision

by **Ken McEntee**

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

Decision date: 22 July 2021

Appeal ref: APP/Z3825/C/21/3270738

Land at 14 Coxham Lane, Steyning, West Sussex, BN44 3LG

- 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 Mr Paul Etheridge against an enforcement notice issued by Horsham District Council.
- The notice was issued on 9 February 2021.
- The breach of planning control as alleged in the notice is "Without planning permission, the erection of a garden shed forward of a wall forming the principal elevation of the dwellinghouse".
- The requirements of the notice are: "(i) Demolish the garden shed shown coloured red in the approximate position on the attached plan; and (ii) Remove all the resulting debris from the land".
- The time period for compliance with the notice is: "Within **three calendar** 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. Much of the arguments put forward by the appellant's concern the planning merits of the unauthorised development and the way a previous planning appeal was dealt with. However, these are not matters before me to consider as they are not relevant to an appeal on ground (g). All that is before me to determine under a ground (g) appeal is whether or not the period for compliance with the notice is too short. With that in mind, the appellant contends that due to personal circumstances he requires more time to dismantle and re-site the shed in his back garden and requests the compliance period be extended to 9 months. However, I am mindful that some 4 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 some 7 months in which to carry out the required works. I consider this period to be more than reasonable and am not satisfied there is good reason to justify extending the compliance period further.

Formal decision

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

K McEntee