
Appeal Decision

by **Ken McEntee**

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

Decision date: 20 March 2025

Appeal ref: APP/Y9507/C/24/3356176

Land north-west of Blackdown House, Fernden Lane, Lurgsahall, West Sussex, GU27 3BS.

- 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 Benjamin Abric (Weyborne Ltd) against an enforcement notice issued by Chichester District Council.
- The notice was issued on 16 October 2024.
- The breach of planning control as alleged in the notice is: "Without planning permission, (a) the alteration of the eastern elevation of an existing barn by the installation of double glazed French doors and the construction of a raised timber platform with timber balustrades and staircase in the approximate position shown on the Plan, and(b) the construction of a free standing raised timber platform with timber balustrades in the approximate position shown on the Plan".
- The requirements of the notice are: (i) Dismantle and remove the said double glazed French doors from the eastern elevation of the barn and infill the opening and clad to match the existing elevation; (ii) Dismantle and remove the said raised timber platform, balustrades and staircase from the eastern elevation of the barn; (iii) Dismantle the said free standing raised timber platform with timber balustrades; and (iv) On completion of (i), (ii) and (iii) above remove the resulting debris from the Land".
- The time period for compliance with the notice is: "Two 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 main basis of the appellant's case for wanting more time to comply with the requirements of the notice is due to the difficulties in complying during the winter period, and his desire to apply for an alternative scheme. The appellant therefore requests that the compliance period be extended to 6 months. While I note the appellant's reasons for requesting an extension, 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 the 6 months requested in which to comply with the requirements of the notice. Therefore, I see no good reason before me to justify extending this period further. The appeal fails accordingly.

Formal decision

2. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

K McEntee