



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/Q4245/C/24/3355996

Land at 1 Primrose Avenue, Urmston, Greater Manchester, M41 0TY.

- 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 Zola Martini against an enforcement notice issued by Trafford Metropolitan Council.
- The notice was issued on 24 October 2024.
- The breach of planning control as alleged in the notice is: "Without planning permission the erection of a single storey side extension".
- The requirements of the notice are: 1. Remove the unauthorised extension shown in photographs ENF/01 and ENF/02 and return the land to its condition before the breach took place, shown on drawing number A1/01. 2. Remove from the land all building materials, rubble and waste arising from carrying out the above step".
- The time period for compliance with the notice is one year after the 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 reason put forward by the appellant for submitting the appeal is for more time to have meaningful discussions with the Council to find an acceptable conclusion for all parties. However, he has not suggested an alternative time period for this to happen. I note that the Council have confirmed that they have received proposed drawings to address their concerns. 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 16 months in which to negotiate with the Council and to carry out the necessary works to comply with the requirements of the notice. I consider this time period to be more than reasonable, and I see no good reason before me to justify extending the 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