



Appeal Decision

by Ken McEntee

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

Decision date: 16 April 2025

Appeal ref: APP/F4410/C/24/3356185

Land northwest of Long Sandall, Clay Lane, Doncaster, DN2 4RA

- 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 Mrs Catherine Wills (URM UK Ltd) against an enforcement notice issued by City of Doncaster Council.
- The notice was issued on 1 October 2024.
- The breach of planning control as alleged in the notice is: "Without planning permission, the operational development comprising the erection of a 2-metre high galvanised palisade site boundary fence on the Land, as shown edged blue on the attached plan".
The requirements of the notice are: (i). Remove the fence, in its entirety, identified in blue on the Plan. (ii) On the completion of the works, dispose of all associated materials and debris from the site".
- The time period for compliance with the notice is: "(iii) In relation to step 5(1), within one (1) month from the date of this notice taking effect. (iv) In relation to step 5(2) above, within two (2) months from the date of this notice taking 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 is that she requires more time to comply with the requirements of the notice as she is waiting for confirmation as to whether there are any historic ruins on the land. However, she has not stated how much time she believes will be necessary. While I note the appellant's reasons for requesting an extension of time, she has not provided any evidence to support the claim that there is reason to believe there may be historic ruins on the appeal site. I am also mindful 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 some 6 months in which to comply with step 5(1) and some 7 months in which to comply with step (5)(2). On the evidence before me, I cannot be satisfied there is good reason to justify extending these periods further. The appeal fails accordingly.
2. However, while I am dismissing the appeal should the appellant experience any genuine difficulties, it is open to her to submit a request to the Council to use their powers under section 173A(1)(b) of the 1990 Act to extend the compliance period themselves, should they be satisfied there is justification for doing so.

Formal decision

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

K McEntee