
Appeal Decision

by **Ken McEntee**

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

Decision date: 29 May 2025

Appeal refs: APP/N4720/C/25/3360184 & 185

Land at Penny Lane Bungalow, Carlton Lane, Yeadon, Leeds, LS19 7BG

- The appeals are made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeals are brought by Mr Andrew and Mrs Anna Hollings against an enforcement notice issued by Leeds City Council.
- The notice was issued on 23 January 2025.
The breach of planning control as alleged in the notice is: Without planning permission, the erection of a large detached garage/outbuilding positioned to the rear of the property".
The requirement of the notice is: "Demolish the garage in its entirety and remove all debris and detritus from the property".
- The time period for compliance with the notice is: "Six months beginning with the day on which this notice takes effect".
- The appeals are 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 appeals are dismissed and the enforcement notice is upheld without variation.

Reasons for the decision

1. The appellants are requesting that the time period to comply with the requirements of the notice be extended to 12 months in order to await the outcome of a retrospective planning application (25/00292/FU) which was submitted to the Council on 17 January 2025. However, I note that the Council have confirmed that this application was refused on 25 March 2025, and have provided a copy of the decision. That being the case, there does not appear to be any good reason before me to extend the compliance period. Although the Council suggest that the appellants' reason for the extension request is to also allow time for any subsequent appeal decision to be determined, I can find no evidence that the appellants have suggested this in their supporting arguments. I am also mindful that almost 4 months have elapsed since the appeals were submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, the appellants will effectively have had almost 10 months in which to carry out the necessary works in order to comply with the requirements of the notice. The appeals fail accordingly.

Formal decision

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

K McEntee