
Appeal Decision

Site visit made on 21 June 2025

by L Renaudon LLM LARTPI Solicitor

an Inspector appointed by the Secretary of State

Decision date: 1 July 2025

Appeal Ref: APP/F4410/C/24/3357887

Former Whitehall Motors, Askern Road, Doncaster, South Yorkshire, DN5 0QT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Keith Millard against an enforcement notice issued by the City of Doncaster Council.
- The notice was issued on 24 October 2024.
- The breach of planning control as alleged in the notice is: *On 16 January 2023 planning permission was granted by the Council under planning reference number 22/00552/FUL for the building on site for use as storage/warehousing (Use Class B2/B8): change of use of the site from car sales forecourt to commercial/associated parking use; retention of CCTV, lighting, hardstanding/surfacing, and erection of boundary treatment to front of site with associated works, subject to conditions. It appears to the council that several of these conditions have not been complied with. In summary these are Condition 1, requiring the development to be carried out in accordance with submitted plans; condition 3, requiring the part of the site used by vehicles to be surfaced and drained; condition 4, requiring the construction of a vehicle turning space; condition 5, requiring the provision of a parking area; condition 6, requiring the removal of certain parking spaces; and condition 7, requiring the approval and subsequent provision of drainage systems.*
- The requirements of the notice are to (i) surface and drain the area of the site to be used by vehicles; (ii) construct and lay out the vehicle turning space; (iii) provide the parking area; (iv) remove the parking spaces to the front of the site; (v) submit for approval details of drainage; and (vi) following such approval, implement works necessary to drain the site .
- The period for compliance with the requirement is three months.
- The appeal is proceeding on the ground set out in section 174(2)(e) of the Town and Country Planning Act 1990 (as amended).

Summary Decision: the appeal is dismissed and the enforcement notice is upheld.

Main Issue

1. The notice is appealed only on the surviving ground (e) which is to say that the notice was not properly served on everyone with an interest in the land. Whether or not this was so is therefore the main (indeed only) issue in the appeal.

Reasons

2. Although the ground of appeal is that the notice was not properly served, the appellant himself is said to be the owner of the site and has not identified any other persons with an interest in the land who ought to have been served.
3. The reason given for raising the ground of appeal is that the notice cites an incorrect policy reference, namely Doncaster Local Plan policy 57 which relates to flood risk management, rather than to drainage which is one of the Council's objects of concern. However, the reasons given by the Council for issuing a notice are not related to whether the notice was served correctly.
4. Insofar as the appellant seeks to raise an argument that the notice is defective in some way as a result of the citation of policy 57, the relevant question is whether

the notice tells the recipient fairly and clearly what he has done wrong, and what he must do to remedy it. There is no suggestion that the notice fails to do this and I have no reason to question the validity of the notice.

Conclusion

5. For the foregoing reasons, there are no grounds upon which to conclude that the notice was not properly served on everyone with an interest in the land, and accordingly the appeal will fail.

Formal Decision

6. The appeal is dismissed and the enforcement notice upheld.

Laura Renaudon

INSPECTOR