



Appeal Decision

by S A Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date 11 July 2025

Appeal Ref: APP/Y3940/C/25/3359666

Combe Barn, Grittleton, Chippenham SN14 6AQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Annabel Anstey against an enforcement notice issued by Wiltshire Council.
 - The notice was issued on 14 January 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the change of use from agricultural to a mixed-use of agricultural, equestrian and ancillary recreational use including the operational development integral to the change of use (edged in blue and labelled on "Appendix 1 -Building Location Plan and photograph" attached to this Notice) comprising but not limited to the erection of stables, hay barn and storage shed and their associated hardstandings; and the siting of associated paraphernalia items (edged in blue and labelled in "Appendix 2 - paraphernalia items" attached to this Notice) including but not limited to the timber seated arbour, timber arches, bird table and seating area with its associated hardstanding, bordering and timber decking and the items upon it (comprising but not limited to tables and chairs, lighting, plant pots, fire pit, pizza oven, storage and shelving, timber screening)
 - The requirements of the notice are to:
 - a) Permanently cease to use the Land and the buildings within for equestrian and ancillary residential use.
 - b) Demolish the stables, hay barn and storage shed, all edged in blue and labelled on "Appendix 1 Building Location Plan and photograph" attached to this Notice
 - c) Permanently remove from the Land all associated equestrian items and non-agricultural paraphernalia from the buildings and the Land, including but not limited to the timber seated arbour, timber arches, bird table and the seating area with its associated hardstanding, bordering and timber decking and the items upon it (comprising but not limited to tables and chairs, lighting, plant pots, fire pit, pizza oven, storage and shelving and timber screening) all identified edged in blue and labelled in "Appendix 2- paraphernalia items" of this Notice.
 - d) Permanently remove from the Land all the demolished materials arising from steps b) and c) above
 - e) Seed the area of the removed hard standings arising from step b) and c) with grass seed.
 - The period for compliance with requirements a), b), c) and d) is 6 months and with requirement e) is before 31 March 2026 or before the end of the next planting season following the end of the period of compliance with steps (a) whichever date is the greater.
 - The appeal is proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended) (the Act).
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Decision

1. It is hereby directed that the enforcement notice is varied by deleting:
 - requirement e) and substituting it with 'e) Restore the land to its condition before the breach took place'; and
 - the period for compliance for step (e) and substituting it with '9 months from the date this notice takes effect'.
2. Subject to the variation, the appeal is dismissed and the enforcement notice is upheld.

Matters concerning the notice

3. The steps required by the notice to seed part of the land exceed what is necessary to remedy the alleged breach of planning control. It is enough to require that the land is restored to its condition before the development took place. Therefore, by virtue of s176(1) of the Act, without injustice to the parties, I will vary the requirement in the notice and the compliance period accordingly.

Preliminary Matters

4. Given that the appeal is proceeding on ground (g) only and there are no matters of planning merit for consideration, there was no need to see the site. Neither appeal party has been prejudiced by me not doing a site visit.

The appeal on ground (g)

5. An appeal on ground (g) is that the compliance period specified in the notice in accordance with s173(9) of the 1990 Act, falls short of what should be reasonably allowed. The appellant states personal reasons for her wish to extend the compliance period. These are dependent on court procedures, however, no extended time frame is suggested.
6. The Council acknowledges the issues raised by the appellant and appreciates that a change of ownership into their possession would simplify matters for them in achieving compliance with the notice. Nevertheless, the Council states that it has reservations on how robust the guarantees are and further believes that the current circumstances are not impassible. It is also noted that compliance is the responsibility of all parties served, including the current title holder.
7. The notice has been appealed for the sole reason of securing more time and in the expectation that the notice will be upheld as it was issued. Given the reasons for issuing the notice and the time that has passed since the notice was issued, I consider that the stated compliance period is reasonable in the circumstances.
8. The appeal on ground (g) therefore fails.

S A Hanson

INSPECTOR