



Appeal Decisions

Hearing held on 2 April 2025

Site visit made on 2 April 2025

by Thomas Shields DipURP MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2025

Land at Cefn Coed, Deerbank Road, Billericay, Essex CM11 1BB

Appeal A Ref: APP/V1505/C/23/3325601

Appeal B Ref: APP/V1505/C/23/3325602

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeals are made by Mr Carl Dennison (Appeal A) and Mrs Jayne Dennison (Appeal B) against an enforcement notice (hereafter “EN1”) issued by Basildon Borough Council.
 - The notice was issued on 6 June 2023.
 - The breach of planning control as alleged in the notice is without planning permission engineering operations involving the excavation of earth and the installation of a concrete suspended floor foundation on the land.
 - The requirements of the notice are to:
 - (i) Break up the concrete suspended floor foundations and remove all resultant building materials, construction debris from the land.
 - (ii) Return the land to its former natural topography.
 - The period for compliance with the requirements is 6 months.
 - Appeal A is proceeding on the grounds set out in section 174(2)(a), (b), (c) and (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a) an application for planning permission is deemed to have been made under section 177(5) of the Act. Appeal B is proceeding on the grounds section 174(2)(b), (c) and (f) of the Act.
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Land at Cefn Coed, Deerbank Road, Billericay, Essex CM11 1BB

Appeal C Ref: APP/V1505/C/23/3325603

Appeal D Ref: APP/V1505/C/23/3325604

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeals are made by Mr Carl Dennison (Appeal C) and Mrs Jayne Dennison (Appeal D) against an enforcement notice (hereafter “EN2”) issued by Basildon Borough Council.
 - The notice was issued on 6 June 2023.
 - The breach of planning control as alleged in the notice is without planning permission the erection of a building on the land.
 - The requirements of the notice are to:
 - (i) Demolish the Building (as approximately shown outlined and hatched black on the attached notice plan) and remove all resultant building materials and construction debris from the Land.
 - (ii) Breakup the concrete suspended floor foundations beneath the building (as approximately shown outlined and hatched black on the attached notice plan) and remove all resultant building materials, construction debris from the Land.
 - (iii) Return the Land (as shown approximately edged and hatched black on the attached notice plan) to its former natural topography.
 - The period[s] for compliance with the requirements is 6 months.
 - Appeal C is proceeding on the grounds set out in section 174(2)(a), (c) and (f) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a) an application for planning permission is deemed to have been made under section 177(5) of the Act. Appeal D is proceeding on the grounds set out in section 174(2)(c) and (f) of the Act.
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Decisions

1. It is directed that the enforcement notice EN1 is corrected by deleting in Section 3 the words “a concrete suspended floor foundation” and inserting instead the words “concrete foundations”, and in Section 5(i) by deleting the words “suspended floor”.
2. Subject to the corrections Appeal A is allowed on ground (a), the enforcement notice EN1 is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act for the development already carried out, namely engineering operations involving the excavation of earth and the installation of concrete foundations on the land at Cefn Coed, Deerbanks Road, Billericay, Essex, as shown on the plan attached to the notice.
3. Appeal C relating to enforcement notice EN2 is allowed on ground (a), the enforcement notice is quashed and planning permission is granted on the application deemed to have been made under section 177(5) of the Act for the development already carried out, namely the erection of a building on the land at Cefn Coed, Deerbanks Road, Billericay, Essex, as shown on the plan attached to the notice and subject to the following conditions:
 - 1) Within 6 months from the date of this decision, a lighting scheme designed to prevent disturbance to nesting birds and bats shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, there shall be no external lighting other than as installed in accordance with the approved scheme.
 - 2) Within 3 months from the date of this decision a written post-development archaeological assessment report relating to all ground works undertaken on site shall be submitted to the Local Planning Authority.
 - 3) The building shall not be used other than for purposes incidental to the residential use of the main dwellinghouse.

Applications for Costs

4. An application for costs was made by Mr and Mrs Dennison against the Basildon Borough Council. That application is subject of a separate decision.

Appeal Site and Background

5. Similar to the position and layout of other houses along Deerbanks Road the appeal property, Cefn Coed, is a large detached house with a long rear garden that slopes down towards its rear boundary with Norsey Woods, an area which includes designations as a Site of Special Scientific Interest (SSSI), a Scheduled Monument (SM) and a Local Nature Reserve (LNR). The development subject of the enforcement notices has been constructed across most of the width of the garden and close to the rear boundary.

Preliminary Matters

6. The totality of development carried out, subject of the appeals, comprises an outbuilding and its foundations following excavations into the steep slope of the rear garden in order for the whole of the construction to be accommodated. All of this is described by the Council as two separate, albeit interlinked, elements.

Thus the Council's notice EN1 alleges engineering operations involving the excavation of earth and the installation of a concrete suspended floor foundation, while EN2 alleges the erection of the building.

7. Although there is no dispute between the main parties as to the totality of works carried out there was some dispute as to whether "suspended floor foundation" in EN1 was an accurate descriptive term. At the Hearing the parties agreed, as do I, that a more neutral term of "concrete foundations" would not fetter either party's arguments in the appeals. Given the appeals against both notices were heard together, and both capable of any further correction or variation as might be justified, I agreed no injustice would arise by correcting EN1 to state "concrete foundations". I have therefore done so using powers available to me under s176(1) of the Act.
8. The appeals argued under grounds s174(2)(b) and (c) are 'legal' grounds. The Courts have established that the onus of proof in these grounds falls to an appellant¹ with the evidence tested on the balance of probabilities.² Also, an appellant's evidence should not be rejected simply because it is uncorroborated. If there is no evidence to contradict their version of events, or make it less than probable, and their evidence is sufficiently precise and unambiguous, it should be accepted.³ The advice in the national Planning Practice Guidance (PPG) also reflects these Court judgments.
9. Third party representations were received in response to notifications of the appeals. These representations reflect matters in the main issues and which I take account of in the following relevant sections.

Appeals A and B: EN1 – appeals on ground (b)

10. Prior to the construction of the building it is clear from all the documentary and photographic evidence, from both parties, that excavations were carried out in order to cut into the steep slope of the garden, before the building's concrete foundations were laid. As such, the matters described in the (corrected) notice occurred as a matter of fact and the appeals on ground (b) therefore fail.
11. Whether the works carried out required planning permission in their own right is considered in the appeals on ground (c) which I turn to next.

Appeals A, B, C, D: EN1, EN2 – appeals on ground (c)

12. An appeal on ground (c) is that the matters alleged in an enforcement notice do not constitute a breach of planning control.
13. I turn first to the excavations and concrete foundations subject of **EN1**.
14. The works carried out are detailed in the parties' descriptions in their written submissions and in photographic evidence taken at various times. In brief, a wedge shaped excavation, approximately 2.9m depth x 11.5m x 8.5m was created by cutting down and into the steep slope of the garden, resulting in an excavated volume of earth of approximately 141m³. The rear and sides of the excavation were

¹ *Nelsovil v SSE* [1962] 13 P&CR 151

² *Thrasyvoulou v SSE & Hackney LBC (No1)* [1984] JPL 732

³ *Gabbitas v SSE & Newham LBC* [1985] JPL 630, *Ravensdale Ltd v SSCLG & Waltham Forest LBC* [2016] EWHC 2374 (Admin)

temporarily shored to prevent collapse and concrete was poured to form the base foundations (also referred to as a pad) for the building. Backfilling of some of the excavated space resulted in an overall net removal of 97m³ of earth.

15. The excavations were not detailed in plans attached to a lawful development certificate (LDC)⁴ for a similar, but not identical, size and form of garden building. The as-built building differs in some dimensions and position from the LDC plans. Hence, the excavations do not specifically benefit from a statutory presumption of lawfulness under the LDC.
16. The building operations subject of EN1 constitute development as defined in s.55 of the Act and require planning permission. For the appellants it is alternatively argued that even if they do not benefit from the LDC there is nonetheless no breach of planning control because the operations were integral to and part of the planning permission ("permitted development" "PD") granted for the construction of buildings under Article 3, Class E, Part 1 of Schedule 2 to the GPDO.⁵
17. Contrary to the appellants' view the Council considers the works to be separate engineering operations in their own right, not within Class E, and carried out without planning permission.
18. Both parties refer to caselaw in *Eatherley*.⁶ The case related to a proposed basement enlargement of a dwelling house and whether works of excavation and underpinning amounted to a separate activity of substance and character from the construction of a basement which would follow. While the dispute in this appeal relates to the Class E permission of the GPDO, rather than Class A as in *Eatherley*, the judgment sets out some wider guiding principles.
19. Those principles include that in interpreting a permission in the GPDO the ordinary rules of statutory interpretation must be applied. Hence in this appeal the words and context of the Class E permission are relevant, rather than the wording and context of other permissions elsewhere in the GPDO. Also, an assessment of whether engineering operations are a separate activity of substance is a matter of planning judgement for the decision-maker on a fact and degree basis.
20. With those context and wording principles in mind, Class E in my judgement acknowledges and permits excavations (engineering and building operations), for example as an integral element of the provision of a swimming pool. Clearly a swimming pool extending below ground level could not be provided otherwise. I also note that Class E permits buildings on sloping ground since it defines⁷ height as the highest part of the ground where there are differences in ground levels.
21. While excavations in relation to a swimming pool have a different context than provision of a building, the Class E permission for buildings must also inevitably incorporate some degree of excavation (typically necessary for foundations). If that were not the case the statutory purpose of the Class E permission for provision of curtilage buildings would be largely otiose. However, that is not to say the statutory purpose of Class E is to permit wholly unlimited levels of excavation, and neither

⁴ Council Reference 21/01695/LDCP granted 28.01.2022

⁵ Town and Country Planning (General Permitted Development) (England) Order 2015

⁶ *Eatherley v London Borough of Camden v James Ireland* [2016] EWHC 1861 Admin

⁷ Article 2(2) of the GPDO

- party argued otherwise. Clearly a planning judgment needs to be made in such circumstances.
22. In light of the above considerations the question to be answered is whether the excavations and concrete foundations were, as matter of fact and degree, a separate activity of such different substance and character that they were separate operations, outside of the permission in Class E for curtilage buildings.
23. I heard the excavation works entailed building contractors using plant equipment including mini-diggers and tracked mini-loaders to transfer excavated material to a large lorry at the front of the house, and shoring up of the rear and sides of the 2.9m (maximum depth) of the wedge shaped excavation to prevent risk of collapse. Once the excavation was completed concrete was poured to form a level base (pad) upon which the building would subsequently be constructed.
24. Having regard to the plans and other evidence before me, and from my own observations, it seems to me that there was a very considerable volume of excavated earth (and later backfilling), in conjunction with shoring up, and pouring of concrete to form the level base, and with resulting material planning impacts in terms of noise and disturbance to occupiers of the neighbouring property (albeit amongst other garden works also taking place). As engineering operations these works also constituted “building operations” as defined within s55(1)(1A)(d) of the Act, and the concrete foundations resulted in a “building”.⁸ All of these operations needed to take place before the works on the construction of the garden building itself could commence.
25. On balance, it appears to me that the operations went beyond a point of being ancillary or integral works to the erection of a building within Class E, but rather a separate activity in both substance and character from the provision of a Class E building. They therefore required planning permission which has not been granted and hence constitute a breach of planning control.
26. For these reasons the appeals on ground (c) in respect of EN1 fails.
27. With regard to **EN2** the as-built building does not benefit from the LDC as I set out earlier and I have found that the building operations subject of EN1 are unlawful. Consequently, notwithstanding whether the building itself (EN2) met all the conditions and limitations within E.1 of Class E, it would in any event be excluded from Class E by the operation of Article 3(5)(a) of the GPDO⁹ given the unlawful building operations (in EN1) that the building (EN2) was built upon. In this regard it is therefore unnecessary for me to consider in detail the parties’ disputes regarding finished building height or whether the lower void element of the building confers a 2-storey design.
28. The building (EN2) is therefore development which has not been constructed within the provisions of Class E. Since planning permission is required but not granted it constitutes a breach of planning control.
29. The appeals on ground (c) therefore fail.

⁸ Section 336 Town and Country Planning Act 1990 (as amended) - “building” includes any structure or erection

⁹ Art.3(5) – “The permission granted by Schedule 2 does not apply if - (a) in the case of permission granted in connection with an existing building, the building operations involved in the construction of that building are unlawful”

Appeals A and C - ground (a)/deemed applications – EN1 and EN2

30. The appeals on this ground are that planning permission ought to be granted for the development subject of the enforcement notices.

Main Issues

31. It was agreed by the parties, and I also agree, that the development carried out does not adversely affect the setting of the multi-period SM, and that matters relating to archaeology could be dealt with by a planning condition if required. As such the main issues for both appeals are:

- (i) the effect on openness, and whether inappropriate development in the Green Belt;
- (ii) the effect on the character and appearance of the area and residential amenity;
- (iii) the effect on the SSSI/Local Nature Reserve; and
- (iv) if inappropriate, whether any harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations (including a fallback argument), so as to amount to the very special circumstances required to justify the development.

Reasons

Effect on openness and whether inappropriate development in the Green Belt

32. The development subject of EN1, if taken in isolation, has very little material impact on the openness and purposes of the Green Belt. However, with regard to the unauthorised development, taken as a whole, new built structural development has been introduced into the Green Belt where previously there was none.
33. Whether the outbuilding, if taken in isolation, could be considered as an exemption under paragraph 154(c) of the NPPF¹⁰ was discussed at the Hearing. For it to be such an exemption some key factors to be considered¹¹ in the context of Green Belt purposes are the distance from the main house, its proportionate increase as an addition, and whether it might have less impact on the openness of the Green Belt than a physically attached extension. Neither party made detailed written or oral submissions on these points, and I am not persuaded from my own observations and assessment that the outbuilding would be such an exemption.
34. The development as a whole does not therefore benefit from any of the exemptions within NPPF paragraphs 154 to 155, and thereby constitutes inappropriate development in the Green Belt. NPPF paragraph 153 sets out that inappropriate development is harmful by definition, and that substantial weight should be given to any harm to the Green Belt.
35. Having regard to its spatial and visual effects I note the development is contained within a rear garden with boundary treatments to both sides, and partially built into the steep slope of the garden. As such, it has minimal visibility outside of the site itself. Given these factors and together with its contextual setting within a

¹⁰ National Planning Policy Framework (December 2024)

¹¹ Factors to consider as set out in *Warwickshire DC v SSLUHC* [2022] EWHC 2145 (Admin)

residential curtilage, and with other nearby development in the form of houses and outbuildings, I find the reduction to the openness of the Green Belt in spatial and visual terms, and the associated resulting harm, is very limited.

Effect on the character and appearance of the area and residential amenity

36. The appeal development is located within the rear garden of a residential property, located on a road alongside other residential properties either side, all with rear gardens and domestic outbuildings and a variety of domestic additions such as patios, outbuildings, and other typically found domestic paraphernalia. This is the prevailing character of the area resulting from housing development permitted in 2008, within which the development is located, and against which any effects should be assessed. While I accept the backdrop of Norsey Woods to the rear also contributes to the character and appearance of the area, the appeal building sits within the boundaries of the residential character area I have described.
37. The flat roofed building is set well away from the rear of the house, and from other nearby houses, and is set down into the slope of the bottom part of the rear garden. As a residential outbuilding it has been designed and constructed in materials and finishes that are compatible with the relatively modern design of the host dwelling and with other nearby residential properties.
38. When viewed from the host property, other nearby houses, and from the upper parts of gardens, the facing 3m height of the building at the highest part of the sloping ground level is not excessive. There is also little visibility of the sides of the building due to existing tall fences and planted boundaries, and I agree with the Council that there is little or “minimal”¹² visibility of the building from Norsey Woods. Even if there were such visibility the building would be seen in the context of the established residential character area I have set out previously.
39. When viewed from the lowest part of the rear garden of the adjacent property (Midwood) the side and upper part of the rear of the building are more visible. The same would be apparent from an equivalent viewpoint in the garden on the other side of the appeal property. However, since there is no “right” to a view I cannot give any weight to loss of pre-existing views from neighbouring properties, and I am satisfied the building does not result in any significant harmful effect on the outlook of occupiers of neighbouring properties in terms of being overly dominant or oppressive. Although unnecessary to make the development acceptable I also note trees have been planted between the building and the garden’s side boundaries which provide further screening in addition to the boundary timber fencing.
40. Prior to carrying out the development 9 trees, including an oak tree, and other vegetation were removed to facilitate construction. I note in relation to an earlier refused planning application¹³ for an outbuilding a tree protection and planting scheme had been submitted. The Council refer to this scheme to highlight harm they say now results from the subsequent loss of trees, particularly the oak tree.
41. However, the oak tree and the wider appeal site are not within a conservation area or within the protected designated areas¹⁴ of Norsey Woods, and none of the

¹² Council’s Enforcement Report

¹³ Council Ref:2100632/Full

¹⁴ Ancient Woodland, SM, SSSI, LNR

removed trees were protected by a Tree Preservation Order. Consequently none of the trees in the garden were prevented from being removed prior to the commencement of the appeal development. Since completion of the development 28 new trees have been planted.

42. In consideration of the appeal development as carried out, and taking account of the appearance of the site, including its existing landscaping and trees in the context of a garden to a residential property, I find there to be no harm to the prevailing character and appearance of the area. A condition requiring planting of an oak tree is unnecessary to make the development acceptable in terms of the effect upon the character and appearance of the area.
43. Other third party concerns I heard related to noise and disturbance associated with the occupiers' use of the outbuilding. Such matters and disputes between occupiers of residential properties are commonplace, however they are not of any material significance as to the principle of whether planning permission should be granted for residential development. Moreover, should it be appropriate and necessary such matters are controlled by other legislation.
44. Overall, I find the development does not result in any significant harm to the character and appearance of the area or to the residential amenity of nearby occupiers. As such, there would be no conflict with Policy BAS BE12 of the Basildon District Local Plan Saved Policies (2007) (LP) or with the overarching provisions for sustainable development within the NPPF.

Effect on the SSSI/Local Nature Reserve

45. As set out earlier no trees (existing or removed) or any part of the appeal site are located within the ancient woodland, SSSI or LNR (Norsey Woods). Consequently, since there would be no loss of existing woodland there would be no conflict with LP Policy BAS C5.
46. The Council refer to a recommendation in the previously refused application by the Woodland Trust, following Natural England's (NE) standing advice, for a 15m buffer zone between the designated areas and any proposed development. However, the correspondence¹⁵ from NE clarified that domestic gardens "must not be included within the buffer zones" since there is limited control over how they may be used or developed. In hindsight the opportunity to create and control a buffer zone was missed when planning permission for the houses and rear gardens were granted in 2008.
47. There is no convincing evidence before me that the excavations and foundations of the development have had any significant adverse effects on the ecology or biodiversity of Norsey Woods. However, with regard to the above-ground element I agree with the Council that a precautionary approach to control lighting would be appropriate and necessary in order to mitigate any potential disturbance to nesting birds and bats. Subject to the imposition of a planning condition to control lighting, there would be no significant harm to the ancient woodland, the SSSI or the LNR with regard to wildlife and ecology. As such, there would be no conflict with LP Policy BAS C1.

¹⁵ Core Document List: Appendix 07t

Other considerations

48. The appellants' 'fallback' argument is that if the appeal were dismissed another building would be capable of being constructed on the appeal site under Class E PD rights, or as conclusively presumed lawful in the LDC, and in comparison to the appeal development this would result in the same or greater reduction in the openness of the Green Belt. In *Schneck*¹⁶ the Court held that the prospect of the fallback position does not have to be probable or even have a high chance of occurring, it only has to be more than a merely theoretical prospect.
49. With the above in mind, the appeal building is part of the appellants' wider re-design and landscaping of the lower part of the garden for household leisure uses, all at considerable effort and financial outlay. The building's functions include as a changing and showering facility for the adjacent swimming pool and sun terracing, and also houses the pump and filtering equipment for the swimming pool. Given these factors and the desire for a building to serve these purposes, I accept the appellants' fallback argument is more than just a theoretical prospect.
50. In order to assess potential differences and impacts on openness between the appeal building and an alternative building, the only detailed plan I have before me is the one confirmed by the LDC as being lawful. Hence, following full compliance with the requirements of the enforcement notices the LDC building could then be erected, provided of course it was done so lawfully without reliance on the sort of unlawful excavations I have previously found, and there is no convincing evidence before me to indicate that it could not be so erected.
51. If the above were to occur the LDC building would have the same or greater effect on reducing the openness of the Green Belt. Also, unlike the appeal development, there would be no ability to impose conditions to control lighting for mitigating potential effects on nesting birds and bats. Taking account of these factors in combination I accept that there is a realistic proposition of a more harmful fallback position occurring. I attach substantial weight to this fallback position in support of allowing the appeals.
52. Notwithstanding the LDC building, an alternative building (or buildings) could be provided as PD subject to the conditions and limitations of Class E of the GPDO anywhere else on the appeal site, potentially with a larger overall floor area and same 3m flat roof height, or even a pitched roof up to 4m in height. Such a PD alternative(s), also without the ability to impose conditions, could result in potentially even greater impacts on openness and wildlife, and also on residential amenity of neighbouring occupiers, than the as-built development or the LDC fallback scheme. Given I have no other detailed PD alternative schemes before me a true comparison with the appeal development is not possible. However, mindful of the scope of the Class E permission I acknowledge that such an outcome is more than just theoretically possible. This PD alternative(s) to the appeal development and the LDC scheme adds further weight in support of allowing the appeals.
53. If the appeals were dismissed and either the LDC building or any other PD building(s) were constructed this would result in further disruption and disturbance

¹⁶ *Schneck v SSHCLG & West Berkshire DC* [2022] EWHC 3335 (Admin)

to nearby occupiers of residential properties resulting from demolition, breaking up of concrete, removal of material and infilling, followed by further disturbance associated with either of the above fallback scenarios. However, relatively speaking this would likely be a short-term temporal disruption. As such, I attach only limited weight to this consideration.

Planning Balance

54. For the reasons I have set out previously I have found there to be harm to the Green Belt by definition and from limited loss of openness, and to which I attach substantial weight.
55. Although I have found there to be no harm with regard to effects on the character and appearance of the area, residential amenity, and to the SSSI and LNR, the absence of harm in respect of these matters is of neutral weight in the overall balance.
56. I have also found, if planning permission were withheld, a realistic prospect of a fallback position with associated more harmful effects, and which carries substantial weight in support of allowing the appeals. The scope of Class E to provide an alternative building(s), with potentially even greater harm, attracts some further weight, and the disruption as described previously to nearby occupiers from a fallback alternative attracts limited weight.
57. In the overall balance I find these considerations clearly outweigh the totality of harm to the Green Belt I have previously described. As such they amount to very special circumstances justifying the grant of planning permission. As such, there is no need for me to additionally consider the personal family circumstances I heard at the Hearing.
58. Since very special circumstances have been demonstrated there is no conflict with the Council's policies or with the development plan as a whole, or with the provisions of the NPPF.

Conditions

59. A number of planning conditions were discussed at the Hearing. I have imposed a planning condition to control lighting. The condition is necessary and reasonable in order to mitigate potential disturbance to nesting birds and to bats. I have also imposed a condition to control the use of the building, being necessary and reasonable to ensure it is only used for purposes incidental to the residential use of the main dwelling house.
60. The appellants' confirm in their evidence that no materials of potential archaeological significance were found during the groundworks for the appeal development, and there is no convincing evidence before me to indicate a probability or likelihood that such material would have been present. Nonetheless, for the sake of completeness a post-development assessment report should be submitted to the Council for the local historical environment record and archives.
61. I have not imposed the suggested condition to enhance biodiversity given that the development is within a landscaped residential garden and subject to future residential developments and uses. That notwithstanding, I also saw the 28 trees

and other vegetation planted following completion of the appeal development which is undisputed by the Council. For the avoidance of doubt, mandatory biodiversity net gain (BNG) provisions are not applicable to householder developments or to successful appeals against enforcement notices as a result of the Environment Act 2021.

Conclusion

62. For all the above reasons, Appeals A and C succeed on ground (a) such that planning permission is granted and the enforcement notices are quashed.

63. In these circumstances there is no need for me to consider the appeals made on ground (f).

Thomas Shields

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Lee Melin	Strutt & Parker
Michael Harman	Holmes and Hills Solicitors
Liam Bedwell	Mibe Architects
Peter Krige	Structural Engineer
Carl Dennison	Appellant

FOR THE LOCAL PLANNING AUTHORITY:

Ryan Funnell	Planning Enforcement Officer
Ian Cummings	Planning Enforcement Team Leader
Adele Lawrence	Deputy Development Team Manager

INTERESTED PARTIES:

David Ferris	Local resident
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DOCUMENTS SUBMITTED AT THE HEARING

- DOC 1 Completed Statement of Common Ground
- DOC 2 *McGaw v The Welsh Ministers* [2021] EWCA Civ 976
- DOC 3 Journal of Planning and Environment Law extract - *Elmbridge*
- DOC 4 Copy of email from appellant to Council dated 12.01.2023
- DOC 5 Copy of email from appellant to Holmes & Hills dated 29.03.2025
- DOC 6 Council's 9 photographs and 2 aerial images of appeal site.