Planning Inspectorate

Appeal Decision

by Ken McEntee

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

Decision date: 14 August 2025

Appeal ref: APP/Q3820/C/25/3364696
Land at 22 Alicia Avenue, Pound Hill, Crawley, RH10 7AY

- 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 Mr Ghazala Shabbir against an enforcement notice issued by the Crawley Borough Council.
- The notice was issued on 28 March 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission, the erection of a part single and part two storey rear extension in the approximate position outlined in red on the Plan and the erection of a front porch in the approximate position outlined in green on the Plan".
- The requirements of the notice are "5.1 To demolish the part single and part two storey rear extension (in the approximate position edged in red on the Plan) and restore the rear of the house to its condition prior to the works which were undertaken to implement the extension. 5.2. On completion of the works required by 5.1. remove from the Land all materials resulting from the demolition".
- The time period for compliance with the notice for both requirements is "Nine months after this Notice takes 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 he believes the period for compliance with the requirements of the notice is too short as more time is required in order to hold discussions with the Council with a view to submitting a part-retrospective planning application for a more compliant scheme. He also refers to financial hardship in having to pay off debts but does not state what period of time he considers is needed to comply with the notice.

2. However, I note that the Council contend that no attempts have been made by the appellant to engage in any meaningful discussions. Therefore, whether such discussions will take place or a planning application submitted, can only be considered as a matter of speculation at this stage. While I have sympathy if the appellant is currently experiencing financial difficulties, this has to be weighed against the need for the stated harm caused by the unauthorised development to the surrounding area, which needs to be brought to an end as soon as possible. I am also mindful that more than 3 months have elapsed since this 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 more than 12 months in which to carry out the necessary works to

comply with the requirements of the notice. I consider this period to be both reasonable and proportionate. Therefore, I am not satisfied there is good reason to justify extending the compliance period further. The appeal fails accordingly.

Formal decision

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

K McEntee