



Appeal Decision

by Ken McEntee

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

Decision date: 23 January 2026

Appeal ref: APP/A3655/C/25/3373472

Land at Unit 5, Abbot Close, West Byfleet, Surrey, KT14 7JN

- 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 Pawel Kuciaba against an enforcement notice issued by Woking Borough Council.
- The notice was issued on 27 August 2025.
- The breach of planning control as alleged in the notice is: "Without planning permission; (i) Unauthorised structures/extensions at commercial premises including a large canopy as shown in the approximate position shown shaded black on the attached Plan; and referred to as the "unauthorised development".
- The requirements of the notice are: "(i) | Demolish and permanently remove the unauthorised front canopied and walled enclosure in its entirety, including: a. the metal roof canopy, b. all supporting steel beams or structural elements, c. the composite wall panels, and d. the metal sliding gate. (ii) Restore the facade of the Land to its condition prior to the commencement of the unauthorised development so that the Land is returned to its appearance prior to the first unauthorised wall being erected in June 2023 and in accordance with the pre-existing elevations as shown on the attached Drawing number 312-007 Revision A provided with PLAN/2024/0161. (iii) Remove from the Land all materials, rubble and debris arising from compliance with requirement (i) and (ii)".
- The time period for compliance with the requirements of the notice is "Three (3) 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 for requesting more time to comply with the requirements of the notice is that he is currently in the process preparing a new set of proposals to be submitted to the Council. In the meantime, the appellant would not be able to continue with the business which employs staff. He also contends that there is expensive equipment stored under the unauthorised canopy, which would have to be re-sited. He therefore requests that the compliance period be extended to 12 months.
2. While I acknowledge the reasons given for requesting more time to comply with the notice, there is no evidence before me of a further proposal having been submitted, and whether one will be submitted in the future can only be considered as a matter of speculation at this stage. I am also mindful that some 4 months have elapsed since the 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 some 7 months in which to

prepare and submit a further proposal, to seek out an alternative site for the stored equipment and to carry out the necessary works in order to comply with the requirements of the notice. I consider this period to be more than reasonable and provides a proportionate balance between the needs of the appellant's business, and the need for the stated harm caused by the unauthorised development to the surrounding area be brought to an end as soon as possible. On the evidence before me, 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