



Appeal Decision

by Ken McEntee

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

Decision date: 24 February 2026

Appeal ref: APP/F2605/C/25/3374562 & 3374564

**Land at Ambleside Farm, Whissonsett Road,
Oxwick, Fakenham, Norfolk, NR21 7HZ**

- The appeals are made under section 174 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991.
- The appeals are brought by Mr Philip Sheldon (Ambleside Farm Ltd) against enforcement notices issued by Breckland District Council.
- The notices were issued on 17 September 2025.
- The breach of planning control as alleged in the notice in relation to appeal 3374562 is "Without planning permission the material change of use of the Land from agriculture to a mixed use of agriculture and the stationing of a caravan for residential occupation together with operational development associated with the material change of use including hardstanding, decking, installation of a septic tank and solar panels and without planning permission, the creation of an access at the point marked X on the plan."
- The breach of planning control as alleged in the notice in relation to appeal 3374564 is "Without planning permission, the erection of a building for residential occupation and the carrying out of ancillary operational development associated the unlawful residential use of the Land including construction of hardstanding, decking, installation of a septic tank and solar panels and the creation of an access at the point marked X on the site plan".
- The requirements of the notices are as set out in the annex to this decision.
- The time period for compliance with the requirements of the notices is "6 calendar months from the date that this notice takes effect".
- The appeals are 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 appeals are allowed and the enforcement notices are varied.

Procedural matters

1. I note that at the end of the fourth paragraph of the appellant's final comments it is stated that "...it is only right that we reserved the right to apply for costs". However, there is no evidence before me of any such application having been made. Therefore, all that is before me to consider are the merits of the appeals.

Reasons for the decision

2. The basis of the appellant's case for requiring more time to comply with the requirements of the notices, is to allow for planning appeal APP/F2605/W/25/3374558 for the refusal of permission for "*Construction of agricultural unit for the breeding and rearing of pigs and temporary agricultural workers dwelling*", to be decided. He therefore requests that the compliance period be extended to 12 months. I note that the Council contend they informed

the appellant that they have no objection to their request and offered to extend the compliance period, but the offer was rejected.

3. While considering the appellant's request, I am mindful that more than 4 months have elapsed since the appeals were submitted. As the compliance period will begin from the date of this decision, the appellant will effectively have had more than 10 months in which to await the outcome of appeal 3374558 and to comply with the requirements of the notices if unsuccessful, which is just 2 months short of that requested. Therefore, it follows that the compliance period only needs to be extended by a further 2 months. That being the case, and taking into account the Council's agreement, I shall amend the notices by changing the compliance period from 6 months to 8 months.
4. However, should appeal 3374558 not be decided before then, it will be open to the appellant to submit a request to the Council to use their powers under section 173A(1)(b) of the 1990 Act to extend the compliance period further themselves, should they be satisfied there is justification for doing so.

Formal decision

5. For the reasons given above, the appeals are allowed, and it is directed that the enforcement notice be varied under '6. **WHAT YOU ARE REQUIRED TO DO**' by the deletion of "6 calendar months" from the date this notice takes effect, with the substitution of "8 months". Subject to this variation the notices are upheld.

K McEntee

ANNEX TO THE DECISION

The requirements of the notice to appeal 3374562

- a) Permanently cease all operational development associated with the change of use for the stationing of a caravan for residential occupation.
- b) Permanently cease the residential occupation of the land.
- c) Permanently cease the unlawful use of the Land for the stationing of a caravan for residential occupation.
- d) Remove all operational development carried out associated with the change of use for the stationing of a caravan for residential occupation including but not limited to all decking, hardstandings, septic tank, solar panels, storage sheds and other items associated with the residential use of the Land.
- e) Close and remove the additional access marked with an X on the plan and reinstate to its condition prior to the breach occurred as shown in image 4.

- f) Permanently remove the caravan shown on photograph numbers 5,6,7 & 8 from the Land and all paraphernalia associated with the residential use of the Land.
- g) Remove all resultant debris and reinstate the land to its condition immediately prior to the breach occurring as shown in the Google Earth image numbered 22.

The requirements of the notice in relation to appeal 3374564

- a) Permanently cease all operational development associated with the residential use of the Land.
- b) Permanently cease the residential occupation of the Land.
- c) Permanently remove the building constructed on the Land shown on photograph numbers 5,6,7 & 8.
- d) Remove all operational development carried out associated with the unlawful building and the residential use and occupation including but not limited to all decking, hardstandings, septic tank, solar panels, storage sheds and other items associated with the residential use of the Land.
- e) Close and remove the additional access marked with an X on the plan to its condition prior to the breach occurred as shown in image number 4.
- f) Remove all resultant debris and reinstate the land to its condition immediately prior to the breach occurring as shown in the Google Earth image numbered 22.