



Planning Inspectorate

Appeal Decision

Site visit made on 26 February 2026

by Zoë Franks, Solicitor

an Inspector appointed by the Secretary of State

Decision date: 16 MARCH 2026

Appeal Ref: APP/H0738/C/25/3370061

Land at Little Meadows, Darlington Road, Elton, Stockton-on-Tees, TS21 1AG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Stokesley Tractors Limited against an enforcement notice issued by Stockton-on-Tees Borough Council.
- The notice was issued on 17 July 2025.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of the Land to residential for the retention of the caravan and associated works and infrastructure, buildings and structures.
- The requirements of the notice are to: a) Cease using the Land for residential purposes. b) Remove all caravans, buildings, structures and vehicles and all other residential paraphernalia brought on to the land in connection with the unauthorised residential use, including but not limited to: i. twin unit caravan with associated access steps, single skin brickwork skirt wall situated to caravan front elevation ii. touring caravan iii. tractor unit iv. oil tank and stand v. brick-built utilities cupboard vi. white storage containers containing washing machine dryer etc vii. brick-built amenity block viii. wooden shed ix. floodlight and CCTV camera x. brick-built coal bunkers. c) Remove from the land any resultant material and debris associated with complying with the aforementioned.
- The period for compliance with the requirements is 12 months.
- The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).

Decision

1. It is directed that the enforcement notice is varied by the deletion of 12 months and its substitution with 16 months as the period for compliance.
2. Subject to the variations, the enforcement notice is upheld.

Ground (f)

3. An appeal on this ground is on the basis that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by the matters stated in the notice to be a breach of planning control or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
4. As the purpose of the notice is to remedy the breach of planning control, any lesser steps imposed must achieve the same end. The planning merits of any lesser steps are not relevant in this case because there is not a ground (a) appeal or deemed planning application, and any such lesser step that would not remedy the breach cannot be accepted through ground (f) alone. Conversely, the requirements must be proportionate in that they are the minimum necessary to remedy the breach
5. Whilst in this case some of the items listed to be removed from the site have been there for many years, the temporary planning permission reference 92/2219/P for a gypsy caravan site included a condition that when the site ceased to be occupied by the named individuals, the use permitted shall cease and all caravans, buildings and structures brought on the land in connection with that use shall be removed

and the site returned to its former use. There is nothing before me to show that the brick-built amenity block and specific floodlights and CCTV camera were on the site before it was used for the siting of the caravans for residential purposes. Indeed both would seem to be part and parcel of that use, and provided in order to facilitate it.

6. And whilst the site had been used as a garage prior to the residential use, and as such must have had access to utilities, it had been unused for many years in the interim. There is no evidence that the brick-built utilities cupboard pre-dated the residential use and as such the requirement to remove it does not exceed what is necessary to remedy the breach as it also facilitates the unlawful use.
7. In addition, the wording in the notice to: *"Remove all caravans, buildings, structures and vehicles and all other residential paraphernalia brought in to the land in connection with the unauthorised residential use, included but not limited to:"* is sufficiently clear and precise and allows the appellant to understand what needs to be done. It would not be practical for the Council to have to list every single item associated with the unauthorised use, and such a requirement could lead to items being left off. The appellant is best placed to know what is on the site and therefore what needs to be removed.
8. The appeal under ground (f) therefore fails.

Ground (g)

9. The appellant seeks an extension for the period for compliance to 36 months. However, such a long period would be akin to granting a temporary permission, and a planning application for the residential use has recently been refused. The appellant has indicated that they will be appealing this decision and it is extremely likely that the appeal will therefore be resolved within a shorter timescale than 36 months.
10. I also acknowledge the personal circumstances of the occupiers of the site, in particular the best interests of the children who attend schools nearby. In order to minimise the disruption to the children during the national exam period this year and next the timescale for compliance should be extended to 16 months. I understand that there will be further exams in the years that follow but there is no indication that there is not alternative housing available which would prevent the children from remaining at their current schools, and the Council have said that their Housing Officers would offer support to find suitable accommodation. The extended period of 16 months will allow flexibility regarding the future housing of the family which is proportionate in all of the circumstances.
11. The timescale of the works may be affected by the overhead power cables but the extended period of 16 months affords additional time in this respect also. The Council also have discretion to extend the period for compliance if they felt it was warranted in all of the circumstances.
12. The appeal on ground (g) succeeds to this limited extent.

Zoë Frank

INSPECTOR