



Appeal Decisions

Site visit made on 10 March 2026

by **Martin Allen BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 26 March 2026

Appeal A Ref: APP/D0121/C/24/3346025

Appeal B Ref: APP/D0121/C/24/3346026

Queensmead Farm, Bristol Road, Winscombe BS25 1PW

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - Appeal A is made by Ms Sara Zakhein and Appeal B is made by Mr Joe Beach against an enforcement notice issued by North Somerset Council.
 - The notice was issued on 3 May 2024.
 - The breach of planning control as alleged in the notice is, without planning permission, the material change of use of land to a mixed use of agriculture and the use of the land for the parking of cars connected with passengers of Bristol Airport and unconnected with the lawful use of the land, and the use of the land for the purposes of B8 storage; including the storage of a touring caravan (located in the approximate location shown edged in purple on the attached plan), lorry bodies, building materials, gas canisters, beer barrels and baffled water tanks.
 - The requirements of the notice are to:
 1. Cease the use of the land (outlined in red on the attached plan) for the parking of cars connected with the passengers of Bristol Airport and unconnected with the lawful use of the land.
 2. Remove all the cars from the land (outlined in red on the attached plan) that are connected with passengers of Bristol Airport and unconnected with the lawful use of the land.
 3. Remove all the structures, items and paraphernalia associated with the parking of cars connected with passengers of Bristol Airport and unconnected with the lawful use of the land, such as portable toilets, sheds, bins, buckets, fire extinguishers, chairs, plastic cones, pressure washers, hose reels and plastic barriers.
 4. Cease the use of the land (outlined in red on the attached plan) for the purposes of B8 storage unconnected with the lawful use of the land.
 5. Remove from the land (outlined in red on the attached plan) any items which are stored, but unconnected with the lawful use of the land (including sheds, structures, fence parts, ladders and stone) but specifically:
 - i) The stored touring caravan (located in the approximate position shown edged in purple on the attached plan)
 - ii) The two lorry bodies located north of the L shaped building
 - iii) Any building materials not associated with the lawful use of the land,
 - iv) The gas canisters, beer barrels and baffled water tanks
 - v) And any other loose items or paraphernalia which are stored on the land but not in associated with the lawful use of the land.
 - The period for compliance with the requirements is 42 days from when the notice takes effect.
 - The appeals are proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).
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Decisions

1. It is directed that the enforcement notice is corrected by:
 - the deletion of the word "in" in requirement 5 v).
2. Subject to the correction, the appeals are dismissed and the enforcement notice is upheld.

Preliminary Matter

3. Requirement 5 v) contains a typographical error. I am satisfied that I can correct this without injustice.

Ground (f)

4. This ground of appeal is that the requirements of the notice are excessive and that lesser steps would overcome the objections. The enforcement notice requires the cessation of the unauthorised use and the removal of items associated with that use. As such, the purpose of the notice is clearly to remedy the breach.
5. The appellant's case centres on requirement 3 of the notice, which requires the removal of all structures, items and paraphernalia associated with the unauthorised use, many of which are listed. The appellant contends that many of the items listed could reasonably be kept on the land in association with the agricultural enterprise, the residential use of the dwelling and its associated annex.
6. The notice does however identify that a mixed use of the land is occurring and requires only the unauthorised use of the land for the parking of vehicles to cease. The remaining authorised uses are unaffected. I am conscious that requirement 3 specifically requires the removal of 'all the structures, items and paraphernalia associated with the parking of cars connected with passengers of Bristol Airport and unconnected with the lawful use of the land, such as portable toilets, sheds, bins, buckets, fire extinguishers, chairs, plastic cones, pressure washers, hose reels and plastic barriers' (my emphasis).
7. The requirement specifically only requires items that are used in association with the unauthorised parking use, and unconnected with the existing lawful uses, to be removed, no matter where they are located within the area covered by the notice. The appellant cites as an example that it would not be possible to have chairs or buckets within the agricultural or residential areas of the site. However, while the notice does cover these areas, it is only items that are used in association with the unauthorised parking use that are required to be removed.
8. Thus, I do not find that the requirements of the notice as set out are excessive and the appeal on ground (f) therefore fails.

Ground (g)

9. Ground (g) is that the period for compliance with the notice falls short of what is reasonable. The notice provides a period of 42 days for compliance.
10. The appellant sets out that advance bookings are taken for the parking of vehicles at the site. Once the appeal is determined and the notice comes into effect, any existing bookings beyond the period of compliance will need to be cancelled. It is highlighted that some owners of the vehicles may be out of the country due to the site providing airport parking and it may be difficult to relocate the cars at short notice. With this in mind the appellant seeks a compliance period of a minimum of three months.
11. I am mindful of the appellant's reasoning here, however there has been nothing put before me to show that there are bookings that exceed the period given in the notice or substantive evidence to show that there would be difficulties in moving the vehicles from the site within the 6 weeks that the notice provides for. As such,

based on the evidence that is before me, I do not consider the period for compliance falls short of what is reasonable.

12. The appeal on ground (g) therefore also fails.

Conclusion

13. For the reasons given above, I conclude that the appeals should not succeed. I shall uphold the enforcement notice with a correction.

Martin Allen

INSPECTOR