



Appeal Decision

Site visit made on 10 March 2026

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 March 2026

Appeal Ref: APP/D0121/C/25/3368012

Land at Scars Farm, Lye Hole Lane, Redhill, BS40 5TB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Neil Young against an enforcement notice issued by North Somerset Council.
 - The notice was issued on 17 June 2025.
 - 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 vehicles unconnected with the agricultural use of the land and associated with users of Bristol Airport, and the use of the land as a transfer location for vehicles unconnected with the agricultural use of the land and associated with users of Bristol Airport (sui generis).
 - 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 that are not associated with the lawful agricultural use of the land.
 2. Cease the use of the land (outlined in red on the attached plan) as a transfer location for vehicles unconnected with the agricultural use of the land and associated with users of Bristol Airport.
 3. Remove all cars from the land (outlined in red on the attached plan) that are not associated with the lawful agricultural use of the land.
 - The period for compliance with the requirements is 49 days.
 - The appeal is proceeding on the grounds set out in section 174(2)(b) and (f) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Ground (b)

2. An appeal on ground (b) is that what is alleged by the enforcement notice has not occurred. The onus is on the appellant to make their case on the balance of probabilities.
3. The appellants case relates to the extent of the area covered by the plan attached to the enforcement notice. The plan covers a significant area of land; indeed, it covers all of the farm holding. The appellant contends that this is excessive, in that the area on which the unauthorised use has taken place is much smaller in its extent. A plan is included with the appellant's statement of case to indicate that the unauthorised use has taken place on a courtyard area enclosed by existing buildings, together with an enclosed concrete slurry pit.
4. However, this approach confuses where activity has taken place and the area of land over which the use, as alleged in the notice, should be identified. The allegation within the notice is that a mixed use has occurred comprising agriculture and the parking of vehicles, as well as a transfer location for vehicles. While it may be the case that activity in respect of the parking of vehicles and a transfer location

has only occurred within a smaller area, given that the totality of the unauthorised development is a mixed use of agriculture and these additional uses, it is appropriate to identify the entirety of the area over which the mixed use has occurred. Moreover, there is no contention within the appellants grounds of appeal that the mixed use as described has not taken place. Indeed, the appellant accepts that airport parking has taken place.

5. Therefore, while the area covered in the plan attached to the notice is large, given the above I find that the unauthorised development as alleged in the notice has, as a matter of fact, taken place and thus the appeal on ground (b) must fail.

Ground (f)

6. This ground of appeal is that the requirements of the notice are excessive and that lesser steps would overcome the objections.
7. The appellant's case in respect of this ground of appeal is related to the case made out in respect of ground (b) above. It is contended that the parking operation took place only on a small area of land and that a plan attached to the notice covering the whole of the farm is unnecessary and unreasonable. It is requested that the notice be amended to attach a plan indicating the smaller area over which the parking operation has taken place and to require that the unauthorised uses cease only on that smaller area.
8. The requirements of the notice require only the cessation of the use for the parking of cars not associated with the lawful agricultural use of the land, and the cessation of the use as a transfer location for vehicles unconnected with the agricultural use and associated with the users of Bristol Airport. If these activities have only taken place over a small part of the larger farm holding, then the cessation of these two elements of the mixed use is required in whatever part of the site they are taking place. But, given the breach is a mixed use, which includes the agricultural use of the land, it is acceptable and reasonable to include the area of land over which agricultural activity occurs within the plan attached to the notice, even though the agricultural use of the land is untouched by the requirements.
9. The requirements of the notice go no further than requiring the objectionable elements of the mixed use to cease and as such they are not unreasonable. Thus, I do not find that the requirements of the notice as set out are excessive and the appeal on ground (f) therefore fails.

Conclusion

10. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

Martin Allen

INSPECTOR