



Appeal Decision

Site visit made on 30 April 2026

by V Goldberg BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th May 2026

Appeal Ref: APP/C3620/C/25/3369130

The land known as 12, The Mount, Fetcham, Leatherhead, Surrey KT22 9EE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Doctor David Aldridge against an enforcement notice issued by Mole Valley District Council.
 - The notice was issued on 10 June 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a bin store in the approximate position shown shaded dark blue on the attached plan.
 - The requirements of the notice are to: Remove the bin store in the approximate position shown shaded dark blue on the attached plan.
 - The period for compliance with the requirement is: Four months after this Notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(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.

Preliminary Matter

2. As the enforcement notice was issued after the 25 April 2024, the ground (a) appeal is barred as the requirements of s174(2A) have been met. Namely, the Enforcement Notice (EN) was issued within the two year period after the making of a related application that is no longer under consideration. Consequently, in determining this appeal, I am unable to take account of any planning merits, and my consideration is confined to matters relating to the ground (f) appeal.

Appeal on Ground (f)

3. An appeal is brought under ground (f) on the basis that the steps required by the EN exceed what is necessary to remedy any breach of planning control identified in the Notice, or, as the case may be, to remedy any injury to amenity arising from that breach.
4. In this instance, the EN does not explicitly state which of the two purposes it seeks to achieve. However, given that the EN requires the removal of the bin store, I find that its purpose is to remedy the breach of planning control.
5. Whilst the appellant undertook mitigation works to the bin store, including reducing its height, staining it, and installing a trellis to support vegetation, these works were completed prior to the issue of the EN. As a result, the EN seeks to enforce the bin store as it existed at the time the EN was served, namely in its amended form.
6. Given that the purpose of the EN is to remedy the breach of planning control, the only means of compliance identified is the removal of the bin store. Consequently,

I find that the requirements of the EN are appropriate to remedy the breach of planning control. The step required by the notice to be taken, therefore does not exceed what is necessary to remedy the breach of planning control. The appellant has not advanced any lesser steps that would achieve the same outcome and therefore the ground (f) appeal fails.

Conclusion

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

V Goldberg

INSPECTOR