



Appeal Decision

by S A Hanson BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date 21 May 2026

Appeal Ref: APP/D1835/C/26/3377674

75 St. Marks Close, Worcester WR5 3DB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Miss Tracey LLOYD against an enforcement notice issued by Worcester City Council.
 - The notice was issued on 15 January 2026.
 - The breach of planning control as alleged in the notice is:
Without the benefit of planning permission, operational development has occurred on the Land, comprising of:
The erection of a timber fence that has enclosed a previously wooded area (shown edged blue on the attached plan), thereby removing public access and integrating it exclusively into the residential curtilage and garden use of the dwellinghouse;
and the erection of outbuildings on this enclosed land;
and other ancillary works to facilitate the residential garden use of the land.
This has resulted in a material change of use of the former woodland situated within the Riverside Conservation Area to residential garden, which constitutes development requiring planning permission.
 - The requirements of the notice are to:
 1. Cease the unauthorised use of the land as garden edged in blue;
 2. Remove the fencing and any other associated means of enclosure around the perimeter of this land edged in blue;
 3. Remove all domestic paraphernalia (e.g. washing lines, play equipment etc.), hard surfacing (including slabs, decking, and gravel) and structures (sheds, outbuildings etc.) from the land edged in blue;
 4. Remove all waste resulting from steps 1, 2 and 3 from the site, and dispose of it lawfully.
 - The period for compliance with the requirements is 3 (three) months.
 - The appeal is proceeding on the grounds set out in section 174(2)(g) 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 Matters

2. The appeal is proceeding on ground (g) only and as such there are no matters of planning merit for consideration. Consequently, there was no need to visit the site. Neither appeal party has been prejudiced by me proceeding in this manner.

Ground (g)

3. The appeal under ground (g) is that the compliance period specified in the notice, in accordance with section 173(9) of the Town and Country Planning Act 1990 (as amended), falls short of what should reasonably be allowed. As such, the scope of this ground is limited to assessing whether the time provided is reasonable for carrying out the required steps. The appellant has requested an extension of three months on personal and logistical grounds to extend the deadline to mid-August.

4. Given the time that has elapsed since the notice was issued, granting a three-month extension at this stage would result in a compliance deadline falling in mid-August in any event. In these circumstances, there is no basis to conclude that the compliance period originally specified by the Council is unreasonable.
5. The appeal on ground (g) therefore fails.

S A Hanson

INSPECTOR