



Appeal Decision

No site visit made

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th June 2026

Appeal Ref: APP/G5180/C/24/3347521

Christ Life Church Orpington, 51 High Street, St Mary Cray BR5 3NJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act").
 - The appeal is made by Christ Life Church Orpington against an enforcement notice ("EN") issued by the Council of the London Borough of Bromley.
 - The EN was issued on 5 June 2024.
 - The breach of planning control as alleged in the EN is: Without the required planning permission, the material change of use of the land from a laundrette to a place of worship.
 - The requirements of the EN are to:
 - (a) Cease the use of the land as a place of worship.
 - (b) Restore the land to its condition before the breach of planning control took place.
 - The period for compliance with the requirements is 2 months after the EN takes effect.
 - The appeal is proceeding on the grounds set out in sections 174(2)(b), (f) and (g) of the 1990 Act.
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Decision

1. The appeal is dismissed and the EN is upheld.

Preliminary Matters

2. The EN has been appealed under grounds (b), (f) and (g) therefore, the planning merits of the development are not relevant to this appeal. As such, a site visit would not help me reach a decision. Consequently, I advised the main appeal parties of my intention to determine the appeal without a site visit.
3. The appellant's name within the appeal form is "Christ Life Church Orpipngton". The other appeal documents refer to "Christ Life Church Orpington". Orpington is the name of the town in which the appeal site is located therefore, it is clear that it is incorrectly spelt within the appeal form. I have therefore used the correct spelling in the banner heading above.

Appeal on Ground (b)

4. An appeal under ground (b) is that those matters stated in the EN have not occurred. The alleged breach is the material change of use of the land from a launderette to a place of worship. Therefore, to succeed on this ground, the appellant must show, on the balance of probability, that the land has not changed to a place of worship.
5. The appellant's grounds of appeal under ground (b) are regarding the planning merits of the development and how conditions could be imposed to overcome the Council's concerns regarding the effect of the development on the living conditions of the occupiers of neighbouring properties. These are matters that would fall to be determined under ground (a), not ground (b). No fee has been paid in respect of

an appeal under ground (a) and therefore, I cannot take these matters into consideration.

6. The appellant's grounds of appeal confirm that the ground floor is used as a place of worship; it describes part of the building as a "church hall"; and a photograph shows the front elevation of the premises with a sign bearing the words, "Christ Life Church Orpington". Furthermore, prior to the serving of the EN, the appellant applied to the Council to retain the alleged breach of planning control which was subsequently refused¹ and dismissed on appeal².
7. Consequently, on the balance of probabilities, the alleged breach of planning control had occurred as a matter of fact. The appeal on ground (b) therefore fails.

Appeal on Ground (f)

8. An appeal under ground (f) is that the steps required by the EN to be taken, or the activities required by the EN to cease, exceed what is necessary to remedy the breach of planning control or any injury to amenity.
9. The breach of planning control is the material change of use of the land to a place of worship. The EN seeks the cessation of the use and the restoration of the land. Therefore, the purpose of the EN is to remedy the breach of planning control.
10. The appellant asserts that the requirements are excessive and unnecessary as the use is consistent with a neighbouring church; the internal fabric has been sound insulated to mitigate noise impact; and the Council could have considered the option to regularise the church's opening hours.
11. There is no ground (a) appeal before me. Therefore, I am unable to determine whether conditions could be imposed to overcome the Council's concerns regarding noise, or to consider the planning merits of the development. Furthermore, the purpose of the EN is to remedy the breach of planning control. Therefore, any step lesser than the cessation of the use and the restoration of the land would not remedy the breach.
12. Consequently, the steps required by the EN are not excessive to remedy the breach of planning control. The appeal on ground (f) therefore fails.

Appeal on Ground (g)

13. An appeal under ground (g) is that the period specified for compliance within the EN falls short of what should reasonably be allowed.
14. The period for compliance is two months. The appellant asserts that this is an unreasonable timeframe to source a reputable builder to undertake the physical removal and restoration of land to its original state, and for the appellant to find a suitable alternative premises for the place of worship. They also consider that the works could be too costly and time consuming to be accomplished within two months. The appellant therefore seeks a period of 6-9 months.
15. The Council assert that the material change of use has been ongoing for a considerable time (starting prior to the submission of a retrospective planning application to retain the development on 6 September 2019). Therefore, they

¹ Planning Ref DC/19/03624/FULL2

² Appeal Ref APP/G5180/W/23/3325440

consider that the appellant has had ample time to put into place the necessary actions should their appeal be unsuccessful. Consequently, they consider the timeframe proposed by the appellant to be excessive.

16. As previously discussed, planning permission to retain the existing use was dismissed on appeal on 10 January 2024. Consequently, the appellant has known since this date that the unauthorised development would have to cease and alternative premises found.
17. I acknowledge that the appellant appealed under ground (b). However, since the appellant previously applied to the Council to retain the use prior to the EN being served, it is clear that the appeal would not succeed on this ground. Consequently, the appellant has had two years since the EN was served to comply with the requirements of the EN, which is a lengthy period to find a reputable builder to undertake the restoration works and to find alternative premises.
18. To afford the appellant a further 6-9 months from the determination of this appeal would therefore be unjustified. Furthermore, a period of 6-9 months proposed by the appellant is a lengthy period for the harm identified in the EN to persist.
19. Accordingly, I do not find that the compliance period afforded by the EN falls short of what is reasonable. Therefore, the appeal on ground (g) fails.

Conclusion

20. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the EN.

A Berry

INSPECTOR