



Appeal Decisions

Site visit made on 17 June 2026

by **AJ Steen BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 24th June 2026

Appeal A Ref: APP/U1430/C/24/3353014

Appeal B Ref: APP/U1430/C/24/3353015

Land at Glebelands, Potmans Lane, Catsfield, East Sussex TN33 9BH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- Appeal A is made by Mrs Jane Morris and Appeal B is made by Mr Gary Morris against an enforcement notice issued by Rother District Council.
- The notice was issued on 6 September 2024.
- The breach of planning control as alleged in the notice is without planning permission, the material change of use of the Land from agriculture and as a camping and caravanning site to a mixed use for agriculture, camping and caravanning, and for permanent residential purposes.
- The requirements of the notice are to:
 - (i) Stop using the Land for permanent residential purposes.
 - (ii) Remove all residential and domestic furniture, fixtures and fittings from the building shown edged blue on the attached plan.
 - (iii) Remove all residential and domestic goods, materials, chattels and effects from the Land.
 - (iv) Remove from the Land all materials, rubbish, debris, tools and equipment arising from compliance with the above requirements.
- The period for compliance with the requirements are: 9 months.
- The appeals are proceeding on the ground set out in section 174(2)(f) of the Town and Country Planning Act 1990 (as amended).

Summary Decisions: The appeals are dismissed and the enforcement notice is upheld.

1. Appeals on ground (f) are that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach. In this case, the requirements seek to cease the residential use and remove all residential paraphernalia from the land, in order to restore the land to its condition before the breach took place. Clearly, therefore, the purpose of the notice requirements is to remedy the breach of planning control.
2. The appellant suggests that some of the furniture, fixtures and fittings required to be removed under requirement (ii), goods, materials, chattels and effects to be removed under requirement (iii) and resulting materials, rubbish, debris, tools and equipment to be removed under requirement (iv) are required for the running of the agricultural, camping and caravanning activities on the site.
3. The requirements of the notice only require residential and domestic items to be removed. These would have been brought onto the site to enable residential occupation of the building. There is no requirement for a notice to specify the individual items to be removed, especially as it may not be clear what all those items would be. A notice directed at a material change of use may require the

removal of items that facilitate that use. Allowing any of these items to remain would not fully remedy the breach of planning control.

4. The agricultural use includes in relation to animal welfare and other requirements in conjunction with this use, as well as in the rest area that supports the running of the holding. I understand that the store building was permitted by planning permission RR/2016/649/P. Condition 4 specified that it could be used in association with the keeping of Angora goats, to store animal feed, machinery and tools, as a processing area for alpaca and Angora fleeces, keeping and breeding of rare fowl and as a rest area. The requirements of the notice do not seek to remove items brought to the site to support the agricultural use.
5. Concern is expressed that personal domestic items of users of the caravan and camping site may be affected by the notice. However, it is clear that the notice is seeking to remedy the breach of planning control in relation to the permanent residential occupancy of the site and not affect the caravan and camping use that is not referred to in the requirements of the notice.
6. As an appeal on ground (a) has not been made there is no deemed application for planning permission before me, I am unable to consider granting planning permission for part of the existing development to remain.
7. As a result, I conclude that the requirements of the notice do not exceed what is necessary in order to remedy the breach of planning control. As such, the appeal fails on ground (f).

Formal Decisions on Appeal A and Appeal B

8. The appeals are dismissed and the enforcement notice is upheld.

AJ Steen

INSPECTOR