



Appeal Decisions

Site visit made on 21 April 2026

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 June 2026

Appeal A Ref: APP/U2750/C/25/3364309

Station Farm, Station Road, Hensall, Goole

- 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 Mr E Stringer against an enforcement notice ("EN") issued by North Yorkshire Council.
 - The EN was issued on 4 March 2025.
 - The breach of planning control as alleged in the EN is: The unauthorised change of use of land and building from agricultural to the storage of commercial vehicles and the erection of gates and pillars without consent.
 - The requirements of the EN are to:
 - Step 1 Cease the use of the land and building for the storage of vehicles and remove the vehicles.
 - Step 2 Demolish the gate pillars and remove the gate. Remove all items associated with the demolition/removal from the Land.
 - Step 3 Return the Land to its [sic] previous use of Agricultural Land and building.
 - The period for compliance with the requirements is: 6 months from when the EN takes effect.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the 1990 Act.
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Decision

1. It is directed that the EN is corrected and varied by:

- *the deletion of the alleged breach of planning control within section 3 of the EN and its substitution with the words "The unauthorised material change of use of the land and building from agriculture to the storage of commercial vehicles, and the erection of gates and gate pillars without consent"; and*
- *the deletion of the three steps within section 5 of the EN and their substitution with the words:*

"Step 1 Cease the use of the land and building for the storage of commercial vehicles and remove the commercial vehicles from the Land.

Step 2 Demolish the gate pillars and remove the gates. Remove all items associated with their demolition/removal from the Land."

2. Subject to the correction and variation, the appeal is dismissed and the EN is upheld.

Matters Concerning the Notice

3. The breach of planning control is *"The unauthorised change of use of Land and building to..."*. For a change of use to amount to development there must be a material change in the character of the use that the land is being put to. Therefore, section 3 of the EN must be corrected so that the allegation comprises, *"The unauthorised material change of use of..."* (my emphasis).

4. The Council's case is based on the allegation amounting to development and the appellant has not disputed this. Consequently, no injustice would arise from this correction.
5. Step 1 of the requirements states that the vehicles should be removed, but it does not specify from where they should be removed. It is therefore necessary to add "...from the Land" to the end of step 1 to make it clear. Furthermore, step 1 refers to "*the storage of vehicles*" where-as the breach refers to "*the storage of commercial vehicles*". It is therefore necessary for step 1 to be varied to align with the breach in this regard. Step 2 refers to a gate where-as the breach of planning control refers to gates. I saw during my site visit that there were two gates and therefore, step 2 should be varied to align with the breach. As these variations are for precision and clarity, I am satisfied they would not cause injustice to the main appeal parties.
6. Step 3 requires the appeal site to be returned to its former use for agricultural purposes. This goes beyond remedying the breach and therefore I have deleted it from the requirements.

Preliminary Matters

7. I am aware of two other appeals¹ for the site that seek to retain the development as identified in the breach of planning control. These appeals are the subject of a separate decision.
8. The matters raised by interested parties have been noted, however, they fall outside the scope of this ground (g) appeal. These comments will instead be considered as part of the appeals against the Council's refusal to grant planning permission to retain the development described in the breach.

Appeal on Ground (g)

9. An appeal under ground (g) is that the period specified for compliance within the EN falls short of what should reasonably be allowed.
10. The period for compliance is 6 months. The appellant asserts that 6 months is unreasonably short to appeal the planning refusals for the gates/pillars and the change of use of the building and land from agricultural to storage, or to tender for the work that is required to be undertaken to comply with the requirements. Consequently, they seek a period of 12 months.
11. Extending the period to comply with the EN to 12 months would be akin to granting temporary planning permission for the breach, which is unreasonable.
12. At the time of my site visit, only one van was stored on the land, and the building was largely empty with a touring caravan, a traditional caravan, tyres, and pallets of what appeared to be cavity wall insulation stored inside. Accordingly, it would not require more than 6 months for the appellant to comply with Step 1.
13. The gate piers comprise two brick columns, in-between which are a pair of solid gates. The structure is limited in size and scale, and it would not require extensive work to remove the gates and demolish the piers. I note that there are lights and an entry system attached to the piers that may require an electrician to safely

¹ Appeal Ref APP/U2750/W/25/3364313 and Appeal Ref APP/U2750/W/25/3364310

remove them. However, the appellant has not advised why it would be difficult to employ a builder and/or an electrician within the specified 6 months.

14. I acknowledge the Council refused two planning applications² to retain the breach identified in the EN, and that it would be beneficial for those appeals to be determined at the same time as this appeal. However, within the intervening period, appeals have been received against the two planning applications which I have determined separately. Therefore, it is not necessary to extend the compliance period for this reason.
15. Taking the above into account, 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

16. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the EN with a correction and variation.

A Berry

INSPECTOR

² Planning Refs ZG2024/0252/FUL and ZG2024/0427/FUL