



Appeal Decision

No site visit made

by A Berry MTCP (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2026

Appeal Ref: APP/P0240/C/25/3367816

109 Clophill Road, Maulden, Bedford MK45 2AD

- 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 Mian Sohail Iqbal against an enforcement notice ("EN") issued by Central Bedfordshire Council.
 - The EN was issued on 21 May 2025.
 - The breach of planning control as alleged in the EN is: Without planning permission, the material change of use of the land from public house to a mixed use of ground floor farm/convenience shop and commercial vehicle sales to rear.
 - The requirements of the EN are:
 1. Cease the use of the land for the commercial sale of vehicles.
 2. Remove from the Land all vehicles associated with the commercial sales use.
 3. Cease the use of the land for a convenience/farm shop.
 - The period for compliance with the requirements is: 3 months.
 - The appeal is proceeding on the ground set out in section 174(2)(g) of the 1990 Act.
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Decision

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

Preliminary Matters

2. The appellant originally appealed the EN under grounds (a) and (g). However, planning permission¹ was refused to retain the breach of planning control and a subsequent appeal² was dismissed on 13 January 2025. The EN was issued on 21 May 2025 and therefore, it follows that ground (a) is barred under s174(2A) of the 1990 Act.
3. The planning merits of the development are not relevant to an appeal under ground (g). 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.
4. I acknowledge the representations received from interested parties. However, the matters raised concern the planning merits of the development which I am unable to consider in a ground (g) appeal.

Appeal on Ground (g)

5. An appeal under ground (g) is that the period specified for compliance within the EN falls short of what should reasonably be allowed.

¹ Planning Ref CB/23/03249/FULL

² Appeal Ref APP/P0240/W/24/3339821

6. The period for compliance is three months. The appellant requests a six month compliance period to allow for the cessation of the vehicle sales operations, the preparation and submission of a new planning application (for a different material change of use), to engage with the local community and stakeholders, and to transition to an authorised and beneficial use. They assert that six months would avoid hardship, financial loss and disruption to ongoing commitments.
7. The appellant has had a significant period since the EN was issued to submit a planning application to utilise the appeal site for a different, lawful purpose. Notwithstanding this, the outcome of a planning application for an alternative use is unconnected to the cessation of the breach of planning control.
8. I have limited evidence before me to demonstrate that the cessation of the breach would cause hardship, financial loss or disrupt ongoing commitments. Even if such impacts could be substantiated, it is not clear how extending the compliance period from three to six months would avoid or reduce the likelihood of them occurring.
9. I have not been provided with evidence to suggest that the appellant would encounter difficulties in removing the vehicles from the land, or that the discontinuance of either business would require the removal of any operational development. Consequently, the extent of the works necessary to secure compliance with the EN would be relatively limited and not time consuming.
10. For these reasons, 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

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

A Berry

INSPECTOR