



Appeal Decision

Site visit made on 17 September 2026

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd October 2026

Appeal Ref: APP/J1535/C/24/3357526

St. Lawrence Farm, Long Green, Nazeing, Waltham Abbey, EN9 2LU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr I Erbil against an enforcement notice issued by Epping Forest District Council.
 - The notice was issued on 19 November 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission, the construction of a dwellinghouse, the operation of locating a shipping container, and the engineering operation to form a hard surface on the Land.
 - The requirements of the notice are to:
 - i. Demolish the dwellinghouse shown outlined in blue at the approximate location on the attached plan.
 - ii. Break-up and scrape clear from the Land the hard surface shown outlined in green at the approximate location on the attached plan.
 - iii. Carry out works to remove from the Land the container shown outlined in orange at the approximate location shown on the attached plan.
 - iv. Remove from the Land all debris and materials resulting from the works carried out at steps (i), (ii), and (iii) above.
 - v. Restore the Land effected by the works at steps (i), (ii), and (iii) above by seeding the ground with grass seed.
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (c), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the notice is:
 - varied by deleting the words “three months” within section 6 (time for compliance) and replacing them with “ten months”.
2. Subject to this variation, the appeal is dismissed, and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

Preliminary Matters

3. The appellant states that the site address ‘St Lawrence Farm’ is under a different ownership and that the appellant’s farm is a separate unit known as “Far Riddens Field Farm”. However, the current address, as shown in the banner heading above, has been consistently used by both parties in the current appeal documents as well as previous planning application submissions¹. I am therefore

¹ Council refs: EPF/1369/25 and EPF/0953/22.

satisfied that St Lawrence Farm describes the site address correctly, and I have therefore used the same address for consistency.

4. The appellant also states that since the Notice was served, they have relocated the shipping container inside the agricultural barn and that they therefore have not considered this matter further in their statement. As the appellant has specifically not raised an appeal in relation to this, this appeal relates solely to the other acts of development mentioned in the Notice, namely the construction of a dwellinghouse and the hard surface on the land.
5. During the course of the appeal, a revised National Planning Policy Framework was published on 17 August 2026 (the Framework). This must now be given full weight in the decision-making process. Both parties have been given the opportunity to comment on the new Framework and so have not been prejudiced. I have therefore not assessed the development against the superseded Framework.

The Appeal on ground (c)

6. This ground of appeal is that the development enforced against does not constitute a breach of planning control. The onus of proof lies with the appellant, the relevant test of the evidence being the balance of probability.
7. The appellant's case is that the formation of hardstanding is not development requiring planning permission, and states that the laying of hardstanding does not constitute an engineering operation as no digging has occurred to facilitate these works. They further state that the hardstanding constitutes compacted material comprising crushed stone laid on top of the ground.
8. Under s55(1) of the 1990 Act, 'development' comprises 'two limbs':
 - 1) The carrying out of building, engineering, mining, or other operations in, on, over or under land (operational development);
 - 2) The making of any material change in the use of any buildings or other land.
9. It is clear that the allegation is referring to operational development, and the formation of hardstanding relates to an 'engineering operation.' 'Operational development' comprises activities which result in some physical alteration to land which has some degree of permanence. Engineering operations involve works with some element of pre-planning, which would generally (but not necessarily) be supervised by a person with engineering knowledge. In addition to the laying of crushed stone on the land, around the dwellinghouse and where the container was previously located, the photograph provided by the Council taken in October 2022 also shows that a cement base has been laid beneath the dwellinghouse².
10. As a matter of fact and degree, given the extent of the works undertaken, I consider that it amounts to an engineering operation for which planning permission is required.
11. I therefore find that, on the balance of probabilities, the formation of hardstanding amounts to an engineering operation for the purposes of s55 of the 1990 Act. Planning permission is required for these works. There is none in place. Therefore, based on all the evidence before me, the formation of hardstanding is a breach of

² Figure 1 of the Council's appeal statement.

planning control, and the appellant has not discharged the onus to demonstrate otherwise.

12. The ground (c) appeal therefore fails.

Appeal on ground (a), the deemed planning application (DPA)

Main Issues

13. The main issues are:

- whether the development amounts to inappropriate development in the Green Belt;
- the effect of the development on the openness of the Green Belt;
- the effect of the development on the character and appearance of the area;
- whether there is an essential need for a rural worker to live permanently at the site; and
- if the development is inappropriate, whether harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances needed to justify the development.

Reasons

Whether the development is inappropriate

14. It is not disputed that the site lies in the open countryside and within the Metropolitan Green Belt. National policy on Green Belt development is set out in Part 13 of the Framework. Policy GB6 of the Framework states that development in the Green Belt is inappropriate unless it falls within one of the categories in policy GB7. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
15. Of particular relevance to this appeal is Policy GB7 of the Framework which outlines certain categories of development which are not inappropriate in the Green Belt and therefore should not be regarded as harmful to the Green Belt or be required to demonstrate very special circumstances. Reference has also been made to Green Belt Policy DM4 of the Epping Forest District Local Plan, 2023 (LP) which is broadly consistent with the Framework. Accordingly, I have assessed this appeal based upon the Green Belt policies contained in the LP and the Framework.
16. The appellant considers the development would fall within the exception listed under Policy GB7:1a of the Framework, as they consider that dwellinghouse and associated hardstanding are required for the purposes of agriculture. Exception Policy GB7:1a of the Framework amongst other things, relates to development which is for agriculture, horticulture and forestry. Similarly, Part c(i) of Policy DM4 of the LP further states that construction of new buildings for the purposes of agriculture are not inappropriate development.
17. However, the dwellinghouse is a residential property and not an agricultural building, even if the appellant is willing to accept a condition that restricts its occupation to rural workers only. As a matter of fact, it is a residential building.

18. Similarly, the hard surface, as outlined in green on the plan attached to the Notice was installed underneath and around the dwellinghouse and where the shipping container (used for storage of tools and materials during the construction of the adjacent agricultural barn) was previously located. Indeed, no clear evidence has been submitted to demonstrate that this area of hardstanding has been used for purposes specifically for agriculture.
19. Therefore, as the dwellinghouse and hard surface are not in use for the purpose of agriculture, I find that the exceptions listed under both Policy GB7:1a of the Framework and Part c(i) of Policy DM4 of the LP, do not apply.
20. In conclusion, the development would not satisfy any of the other exceptions in Policy GB7 of the Framework and Policy DM4 of the LP. As such the development amounts to inappropriate development in the Green Belt, which by definition, is harmful to the Green Belt.

Effect on the openness of the Green Belt

21. Part 13 of the Framework sets out that the objective of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Courts have held that openness includes both visual and spatial dimensions.
22. The dwellinghouse is single storey, with a flat roof and positioned close to the highway. I appreciate that the dwellinghouse is located close to the agricultural and storage barn and that the frontage of the site is surrounded by vegetation. Nevertheless, during my site inspection I observed that the dwellinghouse is visible from the public vantage points on Long Green. Consequently, the visual impact on openness is more significant.
23. With regard to the hard surface located underneath and around the dwelling, I accept that there is a lack of visibility of this element of the development from public and private vantage points nearby. However, visual impact is part of the assessment on the effect on openness of the Green Belt. Reduced visibility does not in itself mean that there has not been a loss of openness in Green Belt terms.
24. From the evidence submitted it appears that the dwellinghouse and hard surface occupy part of the site which was previously devoid of any buildings and hard surface. What would otherwise be an area of open undeveloped agricultural field has the appearance of being a domesticated building and associated hard surface intruding into countryside, contrary to one of the five purposes of the Green Belt which is to assist in safeguarding the countryside from encroachment.
25. Hence in both spatial and visual terms there is a reduction in openness of the site and hence this part of the Green Belt. Overall, I consider that the harm caused to the openness of the Green Belt would be a moderate one.

Character and appearance

26. The appeal site relates to an agricultural farm complex of 67 acres, comprising gently undulating open agricultural fields used primarily for growing barley or wheat and fruit trees, as well as rearing of livestock (primarily sheep and chickens). The surrounding area is characterised by scattered buildings, agricultural fields and areas of woodland and therefore the site has an open and rural character. The

development relates to construction of a dwellinghouse and the hard surface in the approximate position shown green on the plan attached to the notice.

27. The dwellinghouse originally comprised a static caravan which has been extended and altered with various timber extensions and additions including new windows and doors. The various extensions and alterations have been carried out with a mismatch of materials and finishes, resulting in an overall poor-quality and disjointed finish. Although the dwellinghouse is largely screened by hedgerows along the boundaries of the site, I observed during my site visit that it remains visible from public vantage points on Long Green.
28. Furthermore, the development has introduced a domestic building together with ancillary hard surface on a site that was previously open agricultural field, which has an urbanising effect on the open rural character, harming the character and appearance of the area.
29. In this respect the development is contrary to Policy DP3 of the Framework, which amongst other things, requires that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings.

Essential need for a rural worker

Policy considerations

30. Policy HO11 1(a) of the Framework allows for isolated homes in the countryside where there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
31. This is supported by the Planning Practice Guidance (PPG) which sets out the functional need, the degree to which there is confidence that the enterprise will be viable for the foreseeable future, and whether the need could be met through improvements to existing accommodation on the site, are factors that may be relevant when considering whether there is an essential need for a rural worker. The PPG also states that employment on an assembly or food packing line, or the need to accommodate seasonal workers, will generally not be sufficient to justify building isolated rural dwellings.

Essential functional need

32. The appellant's farm comprises circa 67 acres of crop land which is primarily used to grow and harvest barley and wheat across most of the farm, and they have recently planted circa 450 fruit trees. They also have livestock consisting of 55 chickens, sheep (see below for stock numbers) and 149 beehives as part of their beekeeping and honey production.
33. The appellant's personal statement (APS) explain that they acquired the farm in 2021 and have been growing the business gradually since then. The then caravan (which has since been significantly extended to form the current dwellinghouse) was originally placed on the land in August 2022, to provide welfare facilities for construction workers for the agricultural and storage barn³.

³ Email from Murat Aydemir dated 1 December 2022.

34. The farm is run by the appellant, his wife and son along with 2 fixed workers and 2 temporary workers. Whilst the appellant's family have another permanent address in the London Borough of Enfield, as outlined in the completed Planning Contravention Notice (PCN), they often stay overnight for 2-7 nights a week during critical periods such as lambing season, honey harvesting and crop harvesting. I will consider each of these in turn.

Rearing of Sheep and Lambing Enterprise

35. The farm enterprise includes the breeding, rearing, and selling of sheep and meat. From the evidence submitted and from what I observed during my site visit the numbers of sheep at the appeal site fluctuate. In response to the PCN, dated 8 May 2024 the appellant stated there were 26 sheep. When the appeal statement was submitted on 3 April 2025 this had increased to 41 sheep and at the final comments stage on 22 April 2025 this had further increased to 76 sheep. However, during my site inspection there were clearly no more than 40 sheep at the appeal site. As such, on average, there appears to be approximately 45 sheep at the appeal site, at any one time between May 2024 and September 2026.
36. I accept that breeding sheep is not straightforward and that supervision is vital, particularly during the breeding season. Nevertheless, this is also a planned event, with mating typically taking place in autumn. Given that the gestation period for sheep is approximately 5 months, this means that births (which can take place at any time of day and night) typically occur in early spring. Whilst some births could take place early, from December, given the relatively modest size of the flock the numbers of lambs born outside of the spring period would be minimal. As such, there is only a seasonal need for an agricultural worker to be permanently present on site for the limited months which cover the main lambing period.
37. I appreciate that careful attention is required for these animals. However, long working days are part and parcel of most farms. In any case, given the early starts and late finishes associated with farming, it seems reasonably likely that any unsupervised overnight period would be relatively short. Furthermore, these situations are replicated at many farms often with far greater numbers of livestock and land areas to cover, and do not themselves demonstrate a functional need for a rural worker to live on site.
38. I acknowledge that the owners intend to grow the size of their flock. While this will increase the labour requirements, the mating and lambing season would nevertheless be over the same spring months. Therefore, an increase in the flock size would not require a permanent agricultural worker dwelling at the site. Furthermore, the majority of the 67 acres of farmland is allocated for the growing of wheat, barley and fruit trees. Therefore, the proportion of land available for rearing of sheep is limited, which restricts the number of livestock that this farm can sustain.

Beekeeping enterprise

39. The farm enterprise also includes 149 bee hives on the appeal site, and the APS explains that the ability to lodge on the site is necessary to ensure proper hive management, timely swarm collection, and overall security of the beehives. It is further stated that proximity allows for quick response to the sensitivities of the bees including health and pest control.

40. However, this does not provide clear and convincing reasons why the beehives require an on-site attention 24 hours a day. Indeed, honey is typically harvested during the day from late spring to autumn. As such, on the evidence before me, the honey production enterprise on site does not justify a rural worker to live permanently on the site.

Harvesting of wheat and barley and the growing of fruit trees

41. The APS explains that they grow and harvest wheat and barley across the majority of their farm, and that this is harvested in partnership with other nearby farms, St Lawrence Farm and Parvills Farm⁴. In addition, approximately 5 acres of land has been planted with circa 450 fruit trees, and these require regular attention in terms of fertilising, irrigation and trimming. In particular, it is stated that the first 5 years post planting are critical to establish the orchard.
42. However, as outlined above, long working days are part and parcel of farming, and they do not of themselves demonstrate a functional need for a rural worker to live on site permanently. I also note that the appellant's PCN response confirms that they have another permanent residential address within the London Borough of Enfield, approximately 30 minutes from the appeal site. As such, on the evidence submitted, I am not convinced that the harvesting of wheat and barley and the growing of fruit trees provides sufficient justification for a rural worker to live permanently on the site.

Security and Flooding

43. It is also advanced that a permanent onsite presence is required for the security of the animals, and indeed several crime reference numbers have been provided, which relate to animals being stolen or attacked. I fully appreciate the appellant's concerns regarding the safety and security of their animals. Nevertheless, further security options could be explored at the site to enhance security, in consultation with the Council. For these reasons, I am not persuaded that the appeal site presents a level of vulnerability that justifies a permanent presence.
44. I appreciate that the road near the site has been flooded in the past, and that rural workers have to take action in relation to this. Nevertheless, there is a lack of evidence to demonstrate that this is a regular problem throughout the year, and furthermore, there is no clear evidence to show what effect this has on the operation of the farm. Whilst I have great sympathy for the appellant, these are factors that carry limited weight in my consideration of the scheme.
45. Therefore, on the evidence currently before me, there cannot be an essential functional need for a rural worker to live permanently at the appeal site to manage the farm.

The degree to which there is confidence that the enterprise will be viable for the foreseeable future

46. The appellant's statement claims that the evidence provided as part of this appeal shows that the existing farming business is financially sound and viable with a clear prospect of remaining so provided the agricultural workers can stay on site.

⁴ Paragraph 2 of the APS.

47. The appellant's statement and APS explains how they seek to grow the business and are strong advocates for supporting local food sources and farming, and as a result have increased the number of animals on site, since acquisition of the farm and have produced over one tonne of honey in 2024, with over two tonnes of honey expected in 2025. Payslips have been provided for three individuals for the month of October 2024. However, these are just three payslips for one month in 2024. It is unclear, who these employees are, the nature of their employment on the farm (permanent or temporary), and what work they have undertaken on the farm.
48. Based on all the evidence before me, there is a distinct lack of evidence to demonstrate that the business is financially viable with a clear prospect of remaining so. Indeed, there is no business plan for the farm, no calculation of year-on-year growth, no explanation of how the cash flow turnover is going to be managed, no details of the running costs for the business (for example food, rent, bills, machinery, wages), and no indication of how much revenue the business has made so far.
49. Given that the appeal statements were submitted in April 2025, and the appellant first acquired the farm in 2021, it is noteworthy that no actual certified financial accounts or sales figures have been submitted to demonstrate whether the business is running at a profit or loss. This would appear to have been a reasonable amount of time to provide some financial evidence for the viability of the business.
50. Therefore, despite the initial financial investment, energy, and commitment from the appellant and his family to set up this venture, there is a distinct lack of financial evidence over recent years to demonstrate that the business is financially sound and has a clear prospect of remaining viable for the foreseeable future.

Whether the need could be met through improvements to existing accommodation on the site

51. There are no other buildings or dwellings on the farm or buildings that could be easily converted to residential use. The appellant has a permanent address in the London Borough of Enfield, approximately 30 minutes away from the site, and states that neither he nor his workers can afford to buy a property in Nazeing. Indeed, at the time of preparing their appeal statement on 27 March 2025, the appellant advises that there are only 4 houses for sale within a 1-mile radius (5-minute drive) of the site with the most reasonable of these being £650,000.
52. However, this provides a very narrow search of the property market, within only a 1-mile radius at a specific date in time. I note the presence of a larger number of existing dwellings within existing nearby settlements in Nazeing, Harlow, Hoddesdon, Broxbourne, Cheshunt and Waltham Cross, should the appellant wish to relocate from his current Enfield address, closer to the appeal site. There is little evidence before me to demonstrate that these other settlements were fully explored prior to erecting the dwellinghouse at the farm. Whilst these settlements are not within line of sight of the site, I have already found that it has not been demonstrated that there is an essential functional need for a dwelling on this site.

Other considerations

53. In support of the appeal two other appeal decisions have been referenced, where permission has been granted for an agricultural worker dwelling⁵. With regard to the approval in West Sussex, this related to a more modest sized mobile home on nursery enterprise situated in a rural location in Chichester District, close to the south coast of England. As such, that development is not the same as the appeal development before me, which is for a dwellinghouse (rather than a more modest sized caravan), located close to the M25 Greater London area, where there is greater supply of properties available nearby, in nearby towns and villages. Furthermore, that site was not located within the Metropolitan Green Belt and thus the geographic location, proximity to other towns and villages, and policy requirements were different to the current appeal scheme.
54. The other appeal decision relates to an approval for a new dwelling on a cattle farm in Northumberland, with calving taking place all year round. Therefore, not only is the geographical location of the farm different to the current appeal site, but the circumstances of that farming enterprise was materially different to the current farm before me. I also note in that case, that the evidence showed that the farming business was financially sound with a clear prospect of remaining so, and as such both main parties agreed that there was a clear established need for a full-time rural worker to live permanently at their place of work. However, for the reasons outlined above, this has not been demonstrated in this appeal.
55. As such, those other appeal decisions in other locations across the country are not directly comparable and do not lend support for the current appeal development. I appreciate that there are circumstances where farming and the welfare of animals can require a functional need for a rural worker to be living on or near the site. However, each case must be decided upon its own merits and particular set of circumstances. For the reasons outlined above, this has not been demonstrated on this occasion.

Conclusion on whether there is an essential need for a rural worker to live permanently at the site.

56. Whilst there is support in the Framework for a prosperous rural economy, such development should be sensitive to its surroundings. Therefore, having regard to the functional requirements of the business and the financial aspects, an essential need for a rural worker to live permanently at the site has not been demonstrated. Consequently, the development is contrary to Policy HO11 1(a) of the Framework, which seeks the aforementioned aims.

Green Belt Balance

57. I have concluded that the development is inappropriate development which, by definition, is harmful to the Green Belt. I have also concluded that the development results in harm to the openness of the Green Belt. The Framework states that substantial weight should be given to the harm to the Green Belt which would be

⁵ Appeal Ref: 3348420 at Deanhome Nursery, Sidlesham, West Sussex; and Appeal Ref: 3351301 at Land Northeast of Throphill, Northumberland

caused, including harm to its openness, and that inappropriate development should not be approved except in very special circumstances. In addition, I have found that there would be harm to the character and appearance of the area.

58. There is a seasonal need for a rural worker to be present during the lambing season, but there is no essential functional need for a worker to live permanently at the appeal site, in relation to the wheat, barley, fruit trees and honey harvest. While the appellant has been farming the land for several years, it has not been demonstrated that the agricultural business is financially sound and viable for the foreseeable future.
59. Therefore, the needs of the business do not outweigh the harm to the Green Belt, and the other harm, that I have found. Consequently, there are no other considerations that would amount to the very special circumstances necessary to justify the development. It follows that the development conflicts with the Framework and Policy DM4 of the LP taken as a whole.

Alternative scheme

60. Section 177(1) of the Act allows me to grant planning permission in respect of the matters stated in the Notice as constituting a breach of planning control, whether in relation to the whole or any part of those matters or in relation to the whole or any part of the land to which the Notice relates.
61. Under the ground (f) appeal the appellant has suggested planning permission could be granted for the hard surface area only, outlined in green on the Notice plan, and consider that this could be used for access into the agricultural barn. However, there is already a large area of hard surface surrounding the barn, which provides adequate access and egress. As such, this does not provide sufficient justification for approving the hard surface since it would not outweigh the harms identified above, and the development would still not accord with the aforementioned policies.

Other Matters

62. The site lies near to the Epping Forest Special Area of Conservation (SAC), which is a European site as defined by the Habitats Regulations. The Council have raised an objection that no information has been received to demonstrate that the development does not give rise to an adverse impact on the integrity of the SAC, either alone or in combination with other plans or projects. However, because I am dismissing the appeal for other reasons, it is not necessary for me to undertake an appropriate assessment or to consider this matter further.

Planning balance and conclusion on ground (a) and the DPA

63. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The development harms the Green Belt and the character and appearance of the area, in conflict with the Framework and the development plan taken as a whole. None of the other matters raised by the appellant outweighs the harms identified. Therefore, there are no material considerations that would lead me to a decision other than in accordance with the development plan in this case.

64. For the reasons given and with regard to all other matters raised, I conclude that the appeal on ground (a) should fail, and the DPA should be refused.
65. Dismissal of the appeal will involve some interference with the occupiers' rights to respect for private and family life under Article 8 of the European Convention on Human Rights and the right to protection of property, including peaceful enjoyment of possession under Article 1 of the First Protocol. However, these are qualified rights. Furthermore, the appellant has another permanent residential property nearby in the London Borough of Enfield to reside. Subject to consideration of ground (g), the interference will be the minimum necessary and a proportionate approach to the legitimate aims of protecting the countryside, Metropolitan Green Belt and the character and appearance of the area.

Appeal on ground (f)

66. The appeal on this ground is "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 (i.e., the matters alleged in the notice) or, as the case may be, to remedy any injury to amenity which has been caused by any such breach".
67. The enforcement notice requires the demolition of the dwellinghouse and the removal of the hard surface shown green on the Notice plan. Therefore, the purpose of the notice is to remedy the breach of planning control rather than only remedy any injury to amenity.
68. The appellant considers that the hard surface should be allowed to remain to provide access into the approved barn. In the alternative, the appellant proposes that the dwelling is retained and the hard surface removed.
69. However, I have already considered this under the ground (a) appeal and have found that the removal of the hard surface would not affect vehicular access into the barn, since this is already provided by the existing hard surface areas located elsewhere at the entrance points into the barn. Furthermore, the planning merits of the dwelling and the hard surface have already been considered, and both are found to result in harm to the Green Belt and the character and appearance of the area.
70. As the notice does no more than seek remedy of the breach, it is not excessive. It is not therefore possible to vary the notice in the ways suggested by the appellant whilst achieving the purpose of the notice. There are no lesser steps drawn to my attention or any obvious alternatives that would remedy the breach of planning control which is the purpose of the notice.
71. On this basis, the ground (f) appeal fails.

Appeal on ground (g)

72. The appeal on this ground is that any period specified in the notice falls short of what should reasonably be allowed. The appellant asks that the time for compliance is extended from 3 to 12 months. In particular, the appellant states that this is an unreasonable short time to find alternative accommodation nearby and to ensure that the business and animals are not adversely affected.

73. The time for completing the requirements should be what is reasonably considered necessary to complete the requirements. I have found under the ground (a) appeal that the development results in harm to the Green Belt and character and appearance of the area. Furthermore, it has not been satisfactorily demonstrated that there is an essential functional need for a rural worker to live on the site permanently. As such, the 12 months requested to comply with the notice is disproportionately excessive and would perpetuate the harm found.
74. However, I have already noted that my decision will involve an interference with the occupiers' human rights. 10 months would strike a more reasonable and proportionate balance and would provide additional time for the occupiers to find alternative accommodation nearby and carry out the necessary remedial works. Furthermore, 10 months would also coincide with summer months in 2027 and outside of any lambing period in early spring when sheep are more likely to require additional care and nursing. I shall therefore extend the period from 3 to 10 months for compliance with the notice.
75. To this extent, the ground (g) appeal succeeds, and I will vary the notice accordingly.

Conclusion

76. For the reasons given above I conclude that the appeal should not succeed. I shall uphold the enforcement notice, with a variation, and refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

R Satheesan

INSPECTOR