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## Appeal Decision

by Stephen Hawkins MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15<sup>th</sup> October 2026

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### Appeal Ref: APP/W3520/C/25/3374077

### Gospel Centre, Castle Street, Eye, Suffolk IP23 7AW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
  - The appeal is made by Mr Darren Carter against an enforcement notice issued by Mid Suffolk District Council.
  - The notice was issued on 17 September 2025.
  - The breach of planning control as alleged in the notice is without planning permission, the unauthorised development involving the demolition of a wall located within the Conservation Area, and the unauthorised material change of use of the land and building from a use as a non-residential institution falling within Class F1 to use falling within Class C3.
  - The requirements of the notice are to: A) Rebuild the wall that was removed, using materials and design to match the original structure. B) Cease the unauthorised residential use of the land and buildings. C) Remove all domestic paraphernalia associated with the unauthorised residential use.
  - The period for compliance with the requirements is three months.
  - The appeal is proceeding on the grounds set out in section 174(2)(g) of the Town and Country Planning Act 1990 (as amended).
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### Decision

1. The appeal is dismissed and the enforcement notice is upheld.

### Preliminary matter

2. The appeal can be determined without the need for a site visit, as I have been able to reach a decision based on the information already available.

### Ground (g) appeal

3. The ground of appeal is that the period specified for complying with the requirements of the enforcement notice falls short of what should reasonably be allowed.
4. The appeal property contains a detached building, formerly used as a place of worship. The property is located within the Eye Conservation Area.
5. The appellant sought to lengthen the three-month compliance period to provide for their appeal against the Council's refusal of planning permission to change the use of the building to a dwelling to be determined. That appeal was dismissed however on 29 January 2026.<sup>1</sup> The appellant did not seek to argue that there would be insufficient time to comply with the notice requirements in the three-month period following the appeal being decided and there is little sound reason why I should conclude otherwise.
6. Moreover, as this appeal is made solely on ground (g) and the length of the compliance period is the only matter before me, the appellant cannot have any

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reasonable expectation of the notice being quashed. By making this limited appeal, they have already delayed the date when the notice will come into effect well beyond the end of the lengthened period sought, in the knowledge that the requirements will be upheld.

7. In the circumstances, the compliance period specified in the notice strikes an appropriate balance between remedying the breach as soon as practicable whilst not imposing a disproportionate burden on the appellant.
8. Therefore, the ground (g) appeal fails.

### **Conclusion**

9. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

*Stephen Hawkins*

INSPECTOR