



Appeal Decision

Site visit made on 29 September 2026

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 October 2026

Appeal Ref: APP/E2001/C/25/3358986

Land at Eastfield, Feoffee Common Lane, Bamby Moor, East Riding of Yorkshire YO42 1PG

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended (the Act).
- The appeal is made by Mr Alan Farrow against an enforcement notice issued by East Riding of Yorkshire Council.
- The notice was issued on 18 December 2024.
- The breach of planning control as alleged in the notice is without planning permission:
Material change of use of land from agricultural to mixed use comprising agriculture and use for human habitation, and associated storage and the siting of a static caravan for the purposes of human habitation AND
Associated operational development on the Land to facilitate the human habitation, namely: Installation of services, construction of decking, railings, storage shed, gazebo, construction of a stone track, hardstanding and paving AND
In addition, construction of a lodge ("Lodge 1") used in association with the unauthorised human habitation of the Land with its associated operational development namely the construction of decking, railings, hardstanding and paving.
NOTE : The operational development described in this Notice includes unauthorised operational development which has been carried out to facilitate the use of a second lodge (Lodge 2) and shed which are the subject of an extant Enforcement Notice on the Land dated 27th August 2010 which remains in force.
- The requirements of the notice are to:
 1. Cease the use of the Land for human habitation purposes of any nature; AND
 2. Dismantle and remove from the Land, the lodge labelled as "Lodge 1" in the attached Annexure B and all decking, steps, railings, storage shed hardstanding and paving from within the area outlined in pink; AND
 3. Remove from the Land the static caravan labelled as such with Annexure B and all associated decking, steps, railings, storage shed, hardstanding and paving from within the area outlined in green; AND
 4. Remove from the Land all decking, steps railings, gazebo, hardstanding and paving from within the area outlined in yellow within Annexure B being associated with Lodge 2 subject of the extant Enforcement Notice; AND
 5. Remove the stone track and hardstanding from the Land as shown outlined in blue within Annexure B; AND
 6. Remove all gas bottles and underground and above ground water, gas, electricity and foul water services from the Land; AND
 7. Remove all domestic chattels and paraphernalia from the Land and from within the building marked X on the Google Earth image within Annexure B.
- The period for compliance with the requirements is four months.
- The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Act.

Decision

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

Appeal on ground (f)

2. An appeal on ground (f) is that the requirements of the notice exceed what is necessary in order to remedy the breach of planning control or, as the case may be, the injury to amenity that is caused by the breach. The notice requires the mixed use of the land to cease as well as items and structures to be removed from the site. It is therefore clear that the purpose of the notice requirements is to remedy the breach of planning control.
3. The appellant argues that the requirements are excessive in terms of the caravan, the road and the pond, as these are all deemed to not be harmful and align with planning policies. Whether these issues are acceptable and policy compliant would be a matter for a ground (a) appeal which is not before me. The pond does not form part of the notice. Given the caravan and road forms part of the breach of planning control in the notice and anything less than full removal of these would not remedy the breach.
4. Accordingly, the notice requirements are not excessive and the appeal on ground (f) fails.

Appeal on ground (g)

5. Ground (g) is that the period for compliance with the notice falls short of what is reasonable. The appellant seeks 12 months rather than four weeks to comply with the requirements of the notice.
6. The appellants case for ground (g) is that more time is required for the amount of work detailed in the requirements, including significant earth moving activities that would be better completed at certain times of the year. There is, however, minimal evidence indicating why earth moving activities have to be completed at certain times of the year and also what these times of year would be. The majority of the requirements are the removal of items and structures from the land, as well as the cessation of use, and there is minimal compelling evidence detailing why the work involved would require further time. I consider a period of four months to undertake the requirements would be reasonable.
7. The appeal on ground (g) therefore fails.

Conclusion

8. For the reasons given above, I conclude that the appeals on ground (f) and (g) should fail. The appeal is dismissed and the enforcement notice should be upheld.

Chris Baxter

INSPECTOR