

The Planning Inspectorate

ENFORCEMENT NOTICE APPEAL FORM (Online Version)

WARNING: The appeal **must** be received by the Inspectorate **before** the effective date of the local planning authority's enforcement notice.

Appeal Reference: APP/D1265/C/22/3313965

A. APPELLANT DETAILS

Name

. . .

Company/Group Name

Royale Parks (Dorset) Limited

Address

Royale House
1550 Parkway
Fareham
Hampshire
PO15 7AG

Preferred contact method

Email



Post



A(i). ADDITIONAL APPELLANTS

Do you want to use this form to submit appeals by more than one person (e.g. Mr and Mrs Smith), with the same address, against the same Enforcement notice?

Yes



No



B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes



No



Name

Mr David Hancock

Company/Group Name

Laister Planning Ltd

Address

Oddfellows Hall
Ground Floor, London Road
CHIPPING NORTON
OX7 5AR

Phone number

07538139797

Email

nayan@laister.co.uk

Your reference

LPL1259

Preferred contact method

Email



Post



C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority Dorset Council

LPA reference number (if applicable) ENF/17/0094

Date of issue of enforcement notice 04/10/2022

Effective date of enforcement notice 04/01/2023

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Yes ☐ No ☒

Does the appeal relate to an existing property? Yes ☒ No ☐

Address Gundrys Farm, School Lane
Three Legged Cross
WIMBORNE
BH21 6RU

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site? Yes ☐ No ☒

What is your/the appellant's interest in the land/building?

Owner ☒

Tenant ☐

Mortgagee ☐

None of the above ☐

E. GROUNDS AND FACTS

Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? Yes ☐ No ☒

(a) That planning permission should be granted for what is alleged in the notice. ☒

The facts are set out in ☒ see 'Appeal Documents' section

(b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact. ☒

The facts are set out in ☒ the box below

see Statement from Ground (a) which includes all Grounds applied for.

(c) That there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development"). ☒

The facts are set out in ☒ the box below

see Statement from Ground (a) which includes all Grounds applied for.

(d) That, at the time the enforcement notice was issued, it was too late to take enforcement action ☒

against the matters stated in the notice.

The facts are set out in

☒ the box below

see Statement from Ground (a) which includes all Grounds applied for.

(e) The notice was not properly served on everyone with an interest in the land. ☐

(f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections. ☒

The facts are set out in

☒ the box below

see Statement from Ground (a) which includes all Grounds applied for.

(g) The time given to comply with the notice is too short. Please state what you consider to be a reasonable compliance period, and why. ☒

The facts are set out in

☒ the box below

see Statement from Ground (a) which includes all Grounds applied for.

F. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations ☐

2. Hearing ☐

3. Inquiry ☒

You must give detailed reasons below or in a separate document why you think an inquiry is necessary.

The reasons are set out in

☒ the box below

The appeal is being made on Ground (d), which normally requires an Inquiry to enable the Appeal to be determined. Along with other matters set out in our Grounds of Appeal, under Ground (d), there is significant evidence that the alleged change of use is already lawful through the passage of time and no Enforcement Notice could be issued, which will be presented during the Appeal. Furthermore, the infrastructure alleged to be installed without planning permission is already lawful.

(a) How long do you estimate the inquiry will last?

4 day(s)

(b) How many witnesses do you intend to call?

5

(c) Is there any further information relevant to the inquiry which you need to tell us about?

Yes

☐ No

☒

G. FEE FOR THE DEEMED PLANNING APPLICATION

1. Has the appellant applied for planning permission and paid the appropriate fee for the same development as in the enforcement notice?

Yes

☐ No

☒

2. Are there any planning reasons why a fee should not be paid for this appeal?

Yes

☐ No

☒

If no, and you have pleaded ground (a) to have the deemed planning application considered as part of your appeal, you must pay the fee shown in the explanatory note accompanying your Enforcement Notice.

H. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided?

Yes

☐ No



I. SUPPORTING DOCUMENTS

01. Enforcement Notice:

☒ [see 'Appeal Documents' section](#)

J. CHECK SIGN AND DATE

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full grounds of appeal) to the LPA today.

Signature

Mr David Hancock

Date

30/12/2022 07:33:14

Name

Mr David Hancock

On behalf of

. . .

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

K. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full grounds of the appeal) to the LPA.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the enforcement notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

L. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. If forwarding the documents by email, please send to **appeals@planninginspectorate.gov.uk**. If posting, please enclose the section of the form that lists the supporting documents and send it to Initial Appeals, Temple Quay House, 2 The Square, Temple Quay, BRISTOL, BS1 6PN.

You will not be sent any further reminders.

Please ensure that anything you do send by post or email is clearly marked with the reference number.

The documents listed below were uploaded with this form:

Relates to Section: GROUNDS AND FACTS
Document Description: Facts to support that planning permission should be granted for what is alleged in the notice.
File name: 1259_EN2022_Grounds of Appeal_20221230_Final.pdf
File name: 1259_EN2022_Ground a Planning Fee Remittance Advice_20221216.pdf

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: Dorset Council Enforcement Notice Gundrys Farm 4th Oct 22.pdf

Completed by MR DAVID HANCOCK

Date 30/12/2022 07:33:14