

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/E2530/C/21/3274182

A. APPELLANT DETAILS

Name

Mr Sam Smith

Address

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

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 Stephen Clarke

Address

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

[REDACTED]

Email

[REDACTED]

Your reference

[REDACTED]

Preferred contact method

Email

Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

South Kesteven District Council

LPA reference number (if applicable)	ENF21/0003
Date of issue of enforcement notice	01/04/2021
Effective date of enforcement notice	03/05/2021

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address? Y No

Address

Land at Valley Lane
 Long Bennington
 Grantham
 Lincolnshire
 NG23 5EE

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.

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

(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.

(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.

(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 see 'Appeal Documents' section

F. CHOICE OF PROCEDURE

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

1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

Please explain.

One of the reasons for refusal of the Planning Application that preceded the Enforcement Notice was the proximity of the maggot factory and the odour that would emanate from it affecting the occupiers to an unacceptable extent. A second reason was the effect of noise from the nearby A1 would be unacceptable to the occupiers. Professional Reports are being produced to deal with these issues, but the Inspector will wish to enter the site and stand by the mobile home in order to see for her/himself.

2. Hearing

3. Inquiry

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

a) the date of the relevant application

b) the date of the LPA's decision (if any)

2. Are there any planning reasons why a fee should not be paid for this appeal? Yes No

the box below

see 'Appeal Documents' section

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

02. Plan (if applicable and not already attached)

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 Stephen Clarke
Date	30/04/2021 15:22:09
Name	Mr Stephen Clarke
On behalf of	Mr Sam Smith

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. Further information about our Data Protection policy can be found on our website under Privacy Statement.

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@pins.gsi.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 are to follow by post:

Relates to Section: GROUNDS AND FACTS

Document Description: Facts to support that planning permission should be granted for what is alleged in the notice.

Relates to Section: GROUNDS AND FACTS

Document Description: Facts to support why the time given to comply with the notice is too short. Also state what you consider to be a reasonable compliance period, and why.

Relates to Section: FEE FOR THE DEEMED PLANNING APPLICATION

Document Description: Any planning reasons why a fee should not be paid for this appeal.

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 01. The Enforcement Notice.

Relates to Section: SUPPORTING DOCUMENTS

Document Description: 02. The Plan.

Completed by MR STEPHEN CLARKE

Date 30/04/2021 15:22:09