

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/J3720/C/23/3323400

A. APPELLANT DETAILS

Name	Mr E G Gilbert
Address	The Pig Barn Whitlocks End Farm Bills Lane Shirley Solihull B90 2PL
Phone number	[REDACTED]
Email	[REDACTED]
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

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 <input checked="" type="checkbox"/> No <input type="checkbox"/>
Name	Mr Nicholas Barlow
Company/Group Name	Barlow Associates Limited
Address	Barlow Associates Limited Packington Hall Packington Park, Meriden COVENTRY CV7 7HF
Phone number	[REDACTED]
Email	[REDACTED]
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority

Stratford-on-Avon District Council

LPA reference number (if applicable)

23/00072/SIGOP

Date of issue of enforcement notice

25/04/2023

Effective date of enforcement notice

02/06/2023

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

High Park Farm Alcester Road
Tanworth-In-Arden
SOLIHULL
B94 5JB

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

[see 'Appeal Documents' section](#)

(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

[see 'Appeal Documents' section](#)

(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

[see 'Appeal Documents' section](#)

- (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
 [see 'Appeal Documents' section](#)
- (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
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

Grounds of Appeal B and D need testing on oath.

- (a) How long do you estimate the inquiry will last?
- (b) How many witnesses do you intend to call?
- (c) Is there any further information relevant to the inquiry which you need to tell us about? Yes No

If so, please explain the relevant information below

The Council have stated that three copies of the Notice have also been served on those parties who they understand also have an interest in the land. The Council state that copies of the Notice were also served on Mr T W Gilbert, Mr G G Gilbert (for which separate Appeals will be submitted) and Mr T Gilbert (Real Christmas Trees Limited), but the copy Notice was not received by Mr T Gilbert. Actually, each interested party (excluding Mr T Gilbert of Real Christmas Trees Limited) received three copies of the same Notice for one building (in each case, a different building) but not for all three buildings - Please see Statement of Case and Grounds of Appeal. The Appellant will rely on certain documents but as the documents are the same for each Ground, the List of Documents and those documents have only been uploaded under Ground A - We hope this is sufficient.

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

Please give details, including our reference number(s), if known.

Separate Enforcement Notice Appeals will be submitted for Mr T W Gilbert and Mr G G Gilbert.

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 Nicholas Barlow

Date

01/06/2023 12:45:40

Name

Mr Nicholas Barlow

On behalf of

Mr E G Gilbert

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:	Grounds of Appeal and SoC Final 31.05.23.pdf
File name:	Documents to be relied on 31.05.23.pdf
File name:	Doc B5 3rd March 2021 Part 1.jpg
File name:	Doc B5 30th June 2021 Part 3.jpg
File name:	Doc H1 Lett to TEW Gilbert 20.04.23.pdf
File name:	Doc A1 Google Earth Febraury 2021.pdf
File name:	Doc B4 13th December 2018 Part 2.png
File name:	Doc B4 13th December 2018 Part 1.png
File name:	Doc D1 13th December 2018.jpg
File name:	Doc E(ii) E-mail 12.12.18.pdf
File name:	Doc E(v) E-mail 04.03.19.pdf
File name:	Doc B2 14th April 2018.png
File name:	Doc C1 14th April 2018 Part 1.jpg
File name:	Doc A7 Google Earth June 2013.pdf
File name:	Doc A3 Google Earth May 2019.pdf
File name:	Doc A8 Google Earth - August 2007.pdf
File name:	Doc A4 Google Earth - April 2018.pdf
File name:	Doc A5 Google Earth April 2017.pdf
File name:	Doc B1 28th May 2015.png
File name:	Doc A2 Google Earth April 2020.pdf
File name:	Doc E(iii) Letter 18.12.18.pdf
File name:	Doc E(iv) Corresp 16.11.18 to 23.1.19.pdf
File name:	Doc C2 Feb and July 2021.pdf
File name:	Doc F1 SOCG.Deleg Report Ref 3259605.pdf
File name:	Doc B5 27th March 2021 Part 2.jpg
File name:	Doc E(vi) Contractors Inv and Bank Stat.pdf
File name:	Doc G1 Delegated Report ref 03773.pdf
File name:	Doc A6 Google Earth April 2016.pdf
File name:	Doc F2 Appeal Decvision Ref 3259605.pdf
File name:	Doc B3 2nd May 2018 Part 1.jpg
File name:	Doc C1 14th April 2018 Part 2.jpg
File name:	Doc B3 2nd May 2018 Part 2.jpg
File name:	Doc E(i) Corresp 25.4.17-17.4.18.pdf
File name:	Doc C1 2nd May 2018 Part 3.jpg
Relates to Section:	GROUNDS AND FACTS
Document Description:	Facts to support that the breach of control alleged in the enforcement notice has not occurred as a matter of fact.
File name:	Grounds of Appeal and SoC Final 31.05.23.pdf
Relates to Section:	GROUNDS AND FACTS

Document Description:	Facts to support that there has not been a breach of planning control (for example because permission has already been granted, or it is "permitted development").
File name:	Grounds of Appeal and SoC Final 31.05.23.pdf
Relates to Section:	FOUNDATIONS AND FACTS
Document Description:	Facts to support that, at the time the enforcement notice was issued, it was too late to take enforcement action against the matters stated in the notice.
File name:	Grounds of Appeal and SoC Final 31.05.23.pdf
Relates to Section:	FOUNDATIONS AND FACTS
Document Description:	Facts to support that the steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.
File name:	Grounds of Appeal and SoC Final 31.05.23.pdf
Relates to Section:	FOUNDATIONS 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.
File name:	Grounds of Appeal and SoC Final 31.05.23.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. The Enforcement Notice.
File name:	Enforcement Notice and Plan Mr EG Gilbert.pdf
Completed by	MR NICHOLAS BARLOW
Date	01/06/2023 12:45:40