



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/25/3359453

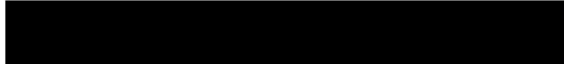
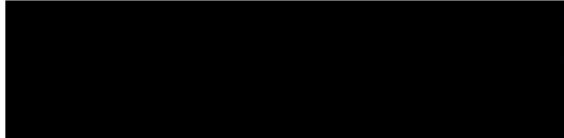
A. APPELLANT DETAILS

Name	Mr & Mrs Allan & Julia Wright
Company/Group Name	Julianna's Kennels and Cattery
Address	Tyburn Cottage Tithe Barn Lane Hockley Heath SOLIHULL B94 5DJ
Phone number	
Email	
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 Martyn Moseley
Address	Tyburn cottage Tithe Barn Lane Solihull B94 5DJ
Phone number	
Email	
Your reference	Charlie2015
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)

24/00132/DESCOU

Date of issue of enforcement notice

20/01/2025

Effective date of enforcement notice

25/02/2025

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes

No

Address

Tyburn Cottage Tithe Barn Lane
Hockley Heath
SOLIHULL
B94 5DJ

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.

(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.

The facts are set out in

the box below

The activities referred to in the notice have been taking place for the past 35plus years since we purchased the property and started the business 1990 to be precise without complaints from any of our neighbours, as often happens in our type of community new people move into the area and historical activities are called into question. The email sent to Ms Booker gives a brief overview of what the (paddock) has been used for past and present and future to state that a paddock is breaching planning because it has ponies grazing on the land in our view is a nonsense, I would also say that to enter a field from a country lane requires a (gate) which incidentally has also been in situ for over70years

(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.

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.

We have been arguing with the planners over what constitutes a curtilage there are precedents that refer to this and we would welcome a definite decision from a High Court judge

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

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

the box below

We believe that the SDC planning department is time barred from using an enforcement procedure to determine whether a breach has taken place

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 Martyn Moseley

Date

23/01/2025 17:16:18

Name

Mr Martyn Moseley

On behalf of

Mr & Mrs Allan & Julia Wright

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: SUPPORTING DOCUMENTS
Document Description: 01. The Enforcement Notice.
File name: image.jpg

Relates to Section: SUPPORTING DOCUMENTS
Document Description: 02. The Plan.
File name: image.jpg

Completed by MR MARTYN MOSELEY

Date 23/01/2025 17:16:18