

Case Name: *Langmead v Secretary of State for Housing, Communities and Local Government* [2018] EWHC 2202 (Admin) (17 August 2018)

Full case: [Click Here](#)

Commentary: The Court dismissed the appeal against the Inspector's decision to dismiss the Appellant's appeal against an Enforcement Notice. The appeal to the Court was brought on the basis that the Inspector, when deciding whether to grant planning permission under section 174(2)(a) of the 1990 Act, had failed to consider proposed mitigation measures.

The Enforcement Notice related to the breach of only one of the conditions attached to the permission (a condition limiting occupation of caravans to workers on that farm). The material that the Appellant submitted addressed both that condition and another condition that the Appellant had previously applied for planning permission to have varied (this condition required the caravans to be removed over the winter months). However, the Inspector could only consider the condition that was the subject of the Enforcement Notice. Since the mitigation measures in question related to the other condition, the Inspector was justified in not taking the proposed mitigation measures into account and the appeal against her decision was dismissed.

Case summary prepared by Town Legal LLP