



Appeal Decision

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2025

Appeal Ref: APP/P1133/C/24/3348959

1 Brook Street, Dawlish, Devon, EX7 9AB

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Sabesan Saravanamuthu against an enforcement notice issued by Teignbridge District Council.
 - The notice was issued on 19 June 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission, installation of air conditioning units at the rear of the property as marked blue on the attached plan and on the photographs; and replacement (shop) front door as marked green on the attached plan and on the attached photographs.
 - The requirements of the notice are to: (a) Remove from the land the two unauthorised air conditioning units as marked in blue on the attached plan and on the attached photographs; and (b) Remove the unauthorised shop front door as marked in green on the attached plan and as shown in the attached photographs.
 - The periods for compliance with the requirements are: Step (a) 2 months and Step (b) 4 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(f) of the Town and Country Planning Act 1990 (as amended).
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

Reasons

2. For the appeal to succeed on ground (f), I need to be satisfied that the steps required to comply with the requirements of the notice are excessive and lesser steps could overcome the breach of planning control or, as the case may be, the injury to amenity. In this case, the notice requires the unauthorised development to be removed in its entirety. That is consistent with remedying the breach of planning control, in accordance with s173(4)(a) of the Act. Accordingly, I do not regard it as an excessive requirement.
3. I note the appellant's comments that he has removed the air conditioning units. However, the ground (f) appeal relates to what was in existence when the notice was issued. There is no ground (b) appeal and hence no dispute that the air conditioning units were in place when the notice was issued. It is not excessive to require their removal because otherwise it would remain possible that the appellant could erect them again: the breach of planning control would not be remedied.
4. I note the appellant's arguments in respect of the design of the door, e.g. matters relating to disabled access and its appearance. However, these are matters of planning merit that cannot be considered under a ground (f) Appeal.
5. I conclude that the requirements of the notice relating to the air conditioning units and door do not exceed what is necessary to remedy the breach of planning control and should remain unchanged.

Conclusion

6. For the reasons given above, I conclude that the appeal should not succeed. I shall uphold the enforcement notice.

Siobhán Watson

INSPECTOR