



Appeal Decision

No site visit made

by **A Berry MTCP (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 June 2026

Appeal A Ref: APP/Y3425/C/25/3370794

Appeal B Ref: APP/Y3425/C/25/3370704

Appeal C Ref: APP/Y3425/C/25/3370677

Appeal D Ref: APP/Y3425/C/25/3370714

Land and buildings on the east side of Blurton Road, Barlaston (also known as Woldale, Blurton Road, Barlaston, Stoke on Trent, Staffordshire)

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended) ("the 1990 Act").
 - Appeal A is made by Mr Richard Buxton, Appeal B is made by Mr Clifford Buxton, Appeal C is made by Mr Stephen Buxton and Appeal D is made by Mrs Fenella Critchlow against an enforcement notice ("EN") issued by Stafford Borough Council.
 - The EN was issued on 11 July 2025.
 - The breach of planning control as alleged in the EN is: Without planning permission on the Land, the material change of use from residential and domestic uses to a mixed use of residential, domestic and the storage of materials for commercial purposes.
 - The requirements of the EN are to:
 1. Cease the use of the Land for commercial storage.
 2. Remove from the Land items stored for commercial purposes, including, though not limited to: red and white coloured 'Safeway' vehicle trailer; metal and plastic containers and storage bins; chairs; non-road worthy vehicles and vehicle parts; tent frames; tarpaulins; cardboard; engines and engine parts; ladders; trampoline; wheelbarrows; signboard; stove; car trailers and their contents where used in connection with commercial storage; fencing materials; window frames and glazing materials; drainage and pipework materials; timber and timber pallets; hydraulic lifting equipment; garage door; filing cabinet; heavy duty rope; mobile office/storage container; household goods stored externally from the dwelling with the exception of timber shed, two greenhouse structures marked on the attached plan 'X', 'Y', 'Z'; contents of greenhouse type structures; bicycles and bicycle parts.
 - The period for compliance with the requirements is: Six (6) months after this notice takes effect.
 - Appeal A is proceeding on the ground set out in section 174(2)(f) of the 1990 Act.
 - Appeals B, C and D are proceeding on the ground set out in section 174(2)(g) of the 1990 Act.
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Decision

1. It is directed that the EN is corrected and varied by:
 - *the deletion of the words "domestic uses" and "domestic" from section 3 of the EN so that it reads "Without planning permission on the Land, the material change of use from residential to a mixed use of residential and the storage of items for commercial purposes"; and*
 - *the deletion of the whole of step (2) within section 5 of the EN and its substitution with the words "Remove from the Land all items stored for commercial purposes".*
2. Subject to the correction and variation, the appeals are dismissed and the EN is upheld.

Preliminary Matter

3. The EN has been appealed under grounds (f) and (g) therefore, the planning merits of the development are not relevant to this appeal. As such, a site visit would not help me reach a decision. Consequently, I advised the main appeal parties of my intention to determine the appeals without a site visit.

Appeal A on Ground (f)

4. An appeal under ground (f) is that the steps required by the EN to be taken, or the activities required by the EN to cease, exceed what is necessary to remedy the breach of planning control or any injury to amenity.
5. The breach of planning control includes the terms “*residential*” and “*domestic*” which effectively mean the same thing. “*Domestic*” is therefore superfluous and as such, I have deleted it from section 3 of the EN. As this correction is for precision and does not alter the breach of planning control, I am satisfied that it would not cause injustice to the main appeal parties.
6. The breach of planning control (as corrected) is the material change of use of the land from residential to a mixed use of residential and the storage of items for commercial purposes. The EN seeks the cessation of the commercial storage use and the removal of all items associated with the commercial storage use from the land. Therefore, the purpose of the EN is to remedy the breach of planning control.
7. The appellant of Appeal A raises concern that the list of objects identified to be removed from the land within step (2) of the EN’s requirements includes items that are used to maintain the property and are required in association with the agricultural tie attached to the property. They also assert that step (2) would prevent them from retaining domestic items such as garden furniture, and some of the items listed were removed from the land prior to the EN being issued. Consequently, they consider step (2) of the EN’s requirements to be excessive.
8. The Council assert that the items stored on the land go beyond what might reasonably be expected to be found at a residential property, and there was no indication that any agricultural activity was taking place on the land when the EN was issued.
9. The appellant has not disputed the breach of planning control described within the EN which states that the previous use of the land was solely used for residential purposes. Therefore, I am unaware of any provision for the land to be used for the storage of items associated with an agricultural use. Furthermore, while the land is conditioned to be occupied as an agricultural dwelling, it does not follow that agricultural activity/storage can take place on the land. Consequently, items stored on the land that are not associated with the residential use should be removed to remedy the breach of planning control.
10. I acknowledge that some of the items listed could be used in conjunction with the residential use of the land rather than the breach of planning control. However, step (2) of the requirements is explicit in that it refers solely to items stored for commercial purposes. Nevertheless, it is not necessary for step (2) to list items to be removed, particularly as it is not an exhaustive list and the appellant has indicated that some of these items were not present at the time the EN was issued.

11. The appellant is best placed to know which of the items stored on the land are for commercial rather than residential purposes. Therefore, I have varied step (2) of the EN's requirements to delete the long list of items and substitute it with the words, "*Remove from the Land all items stored for commercial purposes*". As the variation is less prescriptive but seeks the same outcome, I am satisfied that it would not prejudice the main appeal parties.
12. Consequently, I do not find that the EN's requirements (as varied) are excessive to remedy the breach of planning control. Therefore, Appeal A on ground (f) fails.

Appeals B, C and D on Ground (g)

13. An appeal under ground (g) is that the period specified for compliance with the EN falls short of what should reasonably be allowed. The period for compliance specified in the EN is 6 months.
14. The appellants of Appeals B and C do not specify an alternative timeframe for compliance with the requirements of the EN, nor do they state why the 6 month timeframe imposed by the EN is insufficient.
15. The appellant of Appeal D requests additional time to seek legal advice as the land is owned by multiple people (including themselves), but only one landowner is responsible for the breach of planning control who is estranged from the three other landowners (including themselves). However, they do not specify an alternative timeframe.
16. The EN was issued on 11 July 2025. The appellant of Appeal D has therefore had 11 months to seek legal advice, which is already a significant period of time. To afford them a timeframe exceeding 6 months from the determination of this appeal would therefore be unjustified. Furthermore, a period in excess of 6 months is a lengthy period for the harm identified in the EN to persist.
17. Accordingly, I do not find that the compliance period afforded by the EN falls short of what is reasonable. Therefore, the appeals on ground (g) fail.

Conclusion

18. For the reasons given above, I conclude that the appeals should not succeed. Therefore, I shall uphold the EN with a correction and variation.

A Berry

INSPECTOR