



Appeal Decision

Site visit made on 6 August 2026

by **A A Phillips BA(Hons) DipTP MTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13th August 2026

Appeal Ref: APP/B3410/C/25/3376066

171 High Street, Burton upon Trent, Staffordshire DE14 1JE

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mrs Susan Bond against an enforcement notice issued by East Staffordshire Borough Council.
- The notice was issued on 4 July 2025.
- The breach of planning control as alleged in the notice is the installation of metal roller-shutter doors to the front.
- The requirements of the notice are to:
 - a) Permanently remove the unauthorised metal roller-shutter door and all associated parts and mechanisms from the land.
 - b) Repair the damage caused by the unauthorised installation of the roller-shutter door system and return the building to its condition it was immediately prior to installation.
- The period for compliance with the requirements is 2 calendar months.
- The appeal is proceeding on the grounds set out in section 174(2)(f) and (g) of the Town and Country Planning Act 1990 (as amended).

Summary of decision: The appeal is dismissed and the enforcement notice is upheld with a correction.

Preliminary matter

1. The alleged breach of planning control set out in paragraph 3 of the enforcement notice refers to “roller-shutter doors” whereas the requirements in paragraphs 5(a) and 5(b) relate to “door” in the singular. My own site observations confirmed that a roller-shutter door has been installed and therefore, for consistency, the allegation in paragraph 3 of the Notice should be corrected to read “roller-shutter door”. There is no appeal on ground (b) and no dispute relating to the wording of the allegation and therefore, in my judgement, the correction can be made without causing injustice to either main party.

The appeal on ground (f)

2. The ground of appeal is that the steps required by the notice to be taken exceed what is necessary to achieve the purpose. The purposes of an enforcement notice are set out in s173 of the Act and are to remedy the breach of planning control or to remedy injury to amenity. The notice requires the metal roller-shutter door and all associated parts and mechanisms to be removed, for damage caused to be repaired and return the building to its former condition. Therefore, the purpose is to remedy the breach. Leaving any parts of the development in place would not achieve that purpose.
3. Since there is no appeal on ground (a) (that planning permission should be granted) any lesser steps that would not remedy the breach cannot be accepted through the appeal on ground (f). Therefore, the appeal on ground (f) cannot succeed.

The appeal on ground (g)

4. The ground of appeal is that the time given to comply with the requirements is too short. The 2 calendar months given would be sufficient to remove the metal roller shutter, repair the damage caused and return the building to its former condition. The appellant has suggested that no further enforcement action should be taken before 30 June 2026, pending the submission of a planning application. I noted at my site visit that although that date has passed, the unauthorised development remains in place. Following this decision, the time for compliance with the requirements would be 2 months. I understand that remedying the breach would incur costs and alternative solutions may be cheaper, but I find no clear justification to extend the compliance period given the ongoing harm caused. Therefore, the appeal on ground (g) fails.

Conclusion

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

Formal decision

6. I hereby direct that the enforcement notice is corrected by the deletion from paragraph 3 of the word “doors” and the substitution therefor with the word “door” as the matter which appears to be a breach of planning control”. Subject to this correction the appeal is dismissed, and the enforcement notice is upheld.

A A Phillips

INSPECTOR