



Appeal Decisions

Site visit made on 24 August 2026

by A Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 September 2026

Appeal A Ref: APP/C4235/C/25/3368004

Appeal B Ref: APP/C4235/C/25/3368005

10 Syddal Road, Bramhall, Stockport SK7 1AD

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeals are made by Mr Rob Spence and Mrs Samantha Spence against an enforcement notice issued by Stockport Metropolitan Borough Council.
- The notice was issued on 23 May 2025.
- The breach of planning control as alleged in the notice is without the benefit of planning permission the construction of a single-storey rear and side extension; and, the replacement of wooden casement window to the ground and first floor elevation of the inglenook fireplace of the dwelling house with u-PVC frames and clear glazing.
- The requirements of the notice are to:
 1. Remove the single-storey rear extension from the land and ensure that the building, when the extension is removed, is identical to drawing Existing Elevations, drawing dated Jan 2024 as detailed in condition 1 of planning permission DC/091183, or;
 2. Amend the extension so that it is completed in full accordance with the drawing Proposed Elevations, Drawing Updated 25/04/2024 as approved by planning permission DC/091183 and listed at condition 1.
 3. Remove the u-PVC window frame, windowsill and clear glazed glass panels from the front ground floor of the inglenook fireplace and replace them with a wooden window frame and windowsill. The frame must be glazed with a leadwork grid pattern, externally applied to the glass, which replicates the lead pattern to the existing front windows.
 4. Remove the u-PVC window frame and windowsill from the first-floor front elevation of the inglenook fireplace and replace it with a wooden window frame.
- The period for compliance with the requirements is 18 months.
- The appeals are 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.

Preliminary Matters

1. The appellant requests that planning application DC/093327 is approved as part of the determination of these appeals. However, the appeals before me only relate to the enforcement notice issued on 23 May 2025 (the notice). There is no appeal before me against the Council's refusal of planning application DC/093327. Accordingly, I have no power to make such a determination.
2. For the sake of clarity, steps 1 and 2 under section 5 of the notice are alternatives. The notice gives the appellants the option to comply with step 1 or step 2.

The ground (f) appeal

3. This ground of appeal is that the steps required by the notice to be taken, or the activities required by the notice to cease, exceed what is necessary to remedy any breach of planning control which may be constituted by those matters or, as the case may be, to remedy any injury to amenity which has been caused by any such breach.
4. The purposes of an enforcement notice are set out in section 173 of the Town and Council Planning Act 1990 (the Act) and are to remedy the breach of planning control (s173(4)(a)) or to remedy injury to amenity (s173(4)(b)). The notice requires the removal of the extension or its amendment to comply with planning permission DC/091183 and the replacement of the ground and first floor windows in the front elevation of the inglenook. The purpose of the notice is therefore to remedy the breach of planning control rather than remedy the injury to amenity.
5. The appellants propose to make alterations to the extension, including reducing its height and changing its roof design and materials. However, in the absence of detailed drawings showing the proposed amended extension, I cannot be sufficiently certain as to its final appearance. Moreover, as no ground (a) appeal has been made, the planning merits of the development are not before me and cannot be considered under ground (f).
6. The appellants confirm that the two windows that are the subject of steps 3 and 4 under section 5 of the notice will be replaced in accordance with the requirements.
7. Overall, I have not been provided with any lesser steps that would remedy the breach of planning control while causing less cost or disruption. Accordingly, I do not find that the requirements of the notice exceed what is necessary to remedy the breach.
8. The ground (f) appeal therefore fails.

The ground (g) appeal

9. This ground of appeal is that the period for compliance is unreasonably short.
10. The time for compliance with the requirements of the enforcement notice is 18 months. The appellants argue that they would require a compliance period of 4 years in order to afford the necessary alterations.
11. However, there is no evidence before me to demonstrate why compliance could not be achieved within 18 months, nor why a period as long as 4 years would be necessary.
12. I therefore conclude that the ground (g) appeal fails.

Other Matters

13. I note the correspondence the appellants had with the Council prior to the notice being issued. However, this has had no bearing on my consideration of the appeal before me. I also note the appellants' argument that the Council should be held liable for any costs associated with compliance with the notice. However, that is not a matter for my determination in this appeal.

Formal Decision

14. For the reasons given above, the appeals are dismissed and the enforcement notice is upheld.

A Walker

INSPECTOR