



Appeal Decision

Site visit made on 16 September 2026

by Chris Preston BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2026

Appeal Ref: APP/K0235/C/25/3369354

23 Littlebrook Lane, Wootton, BEDFORD, Bedfordshire, MK43 9RA

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Carl Gunning against an enforcement notice issued by Bedford Borough Council.
 - The notice was issued on 10 June 2025.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of a carport.
 - The requirements of the notice are to: (i) Remove the car port structure outlined in green on the attached plan. (ii) Remove all waste and materials resulting from (i) from the land.
 - The period for compliance with the requirements is: For step (i) three calendar months from the date the notice takes effect and, for step (ii) three calendar months from the date the notice takes effect.
 - The appeal is proceeding on the ground 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.

The Appeal on Ground (f)

2. I understand that the Council has refused a planning application for the erection/retention of the car port and no appeal has been made against that decision. Consequently, it is not for me to assess the planning merits of the proposal.
3. An appeal on Ground (f)¹ is made on the basis that the requirements of the enforcement notice exceed what is necessary to remedy the breach of control or, as the case may be, to remedy any injury to amenity that has been caused by the breach. In such cases it is necessary to understand the objectives of the notice. In this case it is clear that the Council is seeking to remedy the breach of control in full given that the requirements are to remove the structure in its entirety.
4. The requirements go no further than is necessary to achieve that aim. The car port is unauthorised and does not benefit from planning permission. Nothing other than its complete removal would remedy the breach.
5. The appellant has suggested that the structure could be amended in order to reflect other structures on the estate. Firstly, that would not remedy the breach of planning control because any amended structure would still require planning permission and no planning permission exists. If the appellant wishes to erect a different or amended structure he would need to apply to the Council for planning permission. It is not within my remit, given the limited scope of an appeal on

¹ Section 174(2)(f) of the Town and Country Planning Act 1990

Ground (f) to grant such permission, nor can I comment on whether any application should succeed.

6. For that reason alone, the appeal on Ground (f) must fail. In any event, the suggestion that the structure be amended is vague and imprecise. An enforcement notice needs to be written with precision so that those seeking to comply with its terms and those seeking to check whether it has been complied with are left in no doubt as to what is required. In this case, no amended plans are put forward and there are no suggested alternative measurements or design specification. In the absence of such details, amending the wording to require that the structure is “brought into line with other car ports on the estate” would be hopelessly vague and uncertain.
7. However, even if that were not the case, it would not overcome the fact that, in the absence of any planning permission for an amended design, the suggested revision to the requirements would not remedy the breach of planning control.
8. I appreciate that the appellant is unrepresented and it is not surprising if a homeowner did not fully appreciate the limitations of what can be considered under an appeal on Ground (f). However, for the reasons set out, the suggested alteration to the requirements would not remedy the breach of control and the appeal must fail.
9. Consequently, I shall dismiss the appeal and uphold the notice.

Chris Preston

INSPECTOR