



Appeal Decision

Site visit made on 6 September 2023

by David Jones BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 September 2023

Appeal Ref: APP/Q5300/C/23/3318468

124 Aldermans Hill, London N13 4PT

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Mrs Ranie Datoos against an enforcement notice issued by the Council of the London Borough of Enfield.
 - The notice was issued on 10 February 2023.
 - The breach of planning control as alleged in the notice is the unauthorised erection of a security cabin (outlined in blue on the plan for identification purposes only), to the front of the premises.
 - The requirements of the notice are:
 - 5.1 Demolish the security cabin to the front of the property (outlined in blue on the plan for identification purposes).
 - 5.2 Remove all resulting materials from the premises.
 - The period for compliance with the requirements is: Two months.
 - The appeal is proceeding on the ground set out in section 174(2)(g) 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 (g)

2. Ground (g) is that the time given to comply with the requirements of the notice is too short. The notice specifies a period of two months after the notice takes effect.
3. The main basis of the appellant's case is that she requires more time to comply with the requirements of the notice in order to allow for a planning application¹ to be determined by the Council. If approved, the planning permission would include a single storey side extension to the front porch of 124 Aldermans Hill. This extension would provide alternative accommodation for the security guard who currently occupies the security cabin subject of the enforcement notice. The appellant therefore seeks an additional two months to be added to the compliance period.
4. However, the Council has now confirmed that this planning application was refused on the 26 April 2023. I have not been made aware of an appeal being made against that decision or of any subsequent planning applications being submitted to the Council. Consequently, there is no indication in the information before me as to if, or when, planning permission would be granted for an alternative form of development to accommodate the security guard.

¹ Council Ref: 23/00648/HOU

5. While I appreciate the appellant's desire for the compliance period to be extended, I am also mindful that around six months have elapsed since the appeal was submitted with enforcement action effectively suspended. In the absence of planning permission, the Council and third parties are entitled to have the breach of planning control remedied within a reasonable period. The enforcement system also does not allow for an open-ended compliance period to be imposed whilst the appellant seeks planning permission for an alternative scheme, and I have to attach a fixed time limit.
6. The appellant also raised concerns that the removal of the security cabin would increase the risk of burglary in an area where recorded burglaries are frequent. However, no evidence has been provided to substantiate this claim or warrant an extension to the compliance period.
7. In view of the above, I find that the current compliance period of two months is reasonable. Accordingly, the appeal on ground (g) fails.

Conclusion

8. For the reasons given above, I conclude that the appeal does not succeed. I have therefore upheld the enforcement notice.

David Jones

INSPECTOR