



Appeal Decision

by Gareth Symons BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date 16 October 2024

Appeal Ref: APP/F5540/C/23/3334657

29 St. Dunstons Road, Feltham TW13 4JY

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Mr Haroon Siddique against an enforcement notice issued by the Council of the London Borough of Hounslow.
 - The notice was issued on 9 November 2023.
 - The breach of planning control as alleged in the notice is: Installation of galvanised steel palisade fencing with sliding front entrance gate.
 - The requirements of the notice are: (i) Remove the unauthorised galvanised steel palisade fencing with sliding front entrance gate from the premises; (ii) Remove all resultant debris from the land.
 - The period for compliance with the requirement is: 1 month.
 - 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.

Preliminary Matter

2. The appeal has only been brought under s174(2)(g) of the 1990 Act. This means that there are no matters of planning merit to be considered. I was also able to take account of the appellant's ground (g) case as set out in the written evidence. Thus, I did not need to see the site before reaching my decision. As such, I have proceeded to determine the appeal on a no site visit basis. Neither appeal party has been prejudiced by this course of action.

Reasons

3. I have read and note the appellant's concerns about only having one month to remove the fence and the implications this may have on matters such as site security, the possibility that vehicles may need moving elsewhere, installing alternative security measures and potential insurance implications. However, balanced against those considerations are that since the fence/gate was erected in 2020, they have caused continuing harm to the character and appearance of the St Dunstan's Conservation Area as set out in the reasons for issuing the enforcement notice, and as found by the Inspector who determined the appeal against the refusal of planning permission to retain the unauthorised development in 2001.
4. Moreover, given that this appeal was submitted on only ground (g), the appellant would have expected the enforcement notice to be upheld as issued, apart from the compliance period. The ten months from submitting the appeal to now should have therefore been reasonably used to anticipate and prepare for this eventuality and to put other security arrangements in place. Taken in

the round, the period specified in the notice does not fall short of what should be reasonably allowed.

Conclusion

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

Gareth Symons

INSPECTOR

