



Appeal Decision

by Siobhan Watson BA(Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 August 2025

Appeal Ref: APP/R5510/C/24/3342335

12 South Drive, RUISLIP, HA4 8EX

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Dr Adam Macintosh against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 9 April 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission, the erection of boundary wall and piers with timber cladding facing Croft Gardens.
 - The requirements of the notice are to: (i) Demolish and remove the boundary wall and piers with timber cladding facing Croft Gardens (as shown in Approximate position marked in Green on the attached plan) and (ii) Remove from the land all debris, items, building materials resulting from compliance with points (i) above.
 - The period for compliance with the requirements are: 3 months.
 - 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.

Reasons

2. For the appeal to succeed on this ground, I need to be satisfied that that the steps required to comply with the requirements of the notice are excessive and lesser steps could overcome the breach of planning control or, as the case may be, the injury to amenity. In this case, the notice requires the unauthorised development to be removed in its entirety. That is consistent with remedying the breach of planning control, in accordance with s173(4)(a) of the Act. Accordingly, I do not regard it as an excessive requirement.
3. I conclude that the requirements of the notice relating to the wall and cladding do not exceed what is necessary to remedy the breach of planning control and should remain unchanged.
4. I note the appellant's arguments that the wood cladding improves the wall's appearance as would the recent planting behind it; and that the previous fence was dangerous. However, these are matters of planning merit that cannot be considered under a ground (f) Appeal.

Conclusion

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

Siobhán Watson

INSPECTOR