



Appeal Decision

by Gareth Symons BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2026

Appeal Ref: APP/T5150/C/24/3351785

167 Vivian Avenue, Wembley, HA9 6RW

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Z Zany against an enforcement notice issued by the Council of the London Borough of Brent.
 - The notice was issued on 7 August 2024.
 - The breach of planning control as alleged in the notice is: The erection of a rear veranda to dwellinghouse.
 - The requirements of the notice are: STEP1 Demolish the rear veranda; STEP2 Remove all items and debris, arising from that demolition, and remove all materials associated with the unauthorised development from the premises.
 - The period for compliance with the requirements is: 6 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.

Preliminary Matters

2. The ground of appeal made does not require any visual inspection of the appeal site to see, for example, the effect of the veranda on the living conditions of neighbours. Moreover, an appeal under s174(2)(f) does not allow me to consider the veranda's appearance or whether a lesser scheme would overcome objections. Consequently, I was able to determine the appeal based on the written evidence only. No party has been prejudiced by this course of action.

Reasons

3. The enforcement notice requires the veranda to be demolished and for all materials to be removed. The purpose of the notice therefore falls entirely under s173(4)(a) of the 1990 Act which is to remedy the breach of planning control by restoring the land to its condition before the breach took place. Because the requirements do no more and no less than seek to achieve this purpose, they do not exceed what is necessary to remedy the breach of planning control. Thus, the ground (f) appeal must fail.

Conclusion

4. The appeal should not succeed. I shall uphold the enforcement notice.

Gareth Symons

INSPECTOR