



Appeal Decision

Site visit made on 24 August 2026

by **R Bartlett PGDip URP MRTPI**

an Inspector appointed by the Secretary of State

Decision date 29 September 2026

Appeal Ref: APP/Y5420/C/25/3371938

20 Croxford Gardens, Wood Green, London, N22 5QU

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Mr Vasile Tiplea against an enforcement notice issued by the Council of the London Borough of Haringey.
- The notice was issued on 22 July 2025.
- The breach of planning control as alleged in the notice is: Without planning permission the erection of a store room built beyond the principle elevation and the erection of a front wall.
- The requirements of the notice are to:
 1. Demolish the store room that has been built beyond the principal elevation in its entirety.
 2. Demolish the front wall in its entirety
 3. Remove all resultant debris from within the curtilage of the property
- The period for compliance with the requirements is: 3 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).

Decision

1. The enforcement notice is quashed.

The Notice

2. The powers transferred to Inspectors under section 176(1)(a) of The Town and Country Planning Act 1990 as amended (the 1990 Act) allow me to correct any defect, error or misdescription in the enforcement notice or, under section 176(1)(b), to vary the terms of the enforcement notice. However, whilst I have a duty to put the notice in order, I can only make such corrections and variations where this would not cause injustice to either the appellant or the Council. If the notice cannot be corrected without causing injustice, then I must quash it.
3. The allegation refers to the erection of a “store room” built beyond the “principle” elevation and the erection of a front wall. This should read “storeroom” and “principal”. Likewise, step one of the requirements should read “storeroom”. Correcting these minor errors would not cause injustice to either party.
4. The plan attached to the notice does not indicate the position of either the storeroom or the front wall referred to in the allegation and requirements.
5. It was apparent from my site visit that the dwelling has been extended to the side and has a detached outbuilding in the front garden, which is in front of the side extension. I am aware that The Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO) refers to buildings situated on land forward of a wall forming the principal elevation of the original dwellinghouse, and that there is further guidance¹ explaining what this means. However,

¹ Permitted development rights for householders Technical Guidance MHCLG

understanding what 'principal elevation' means requires some awareness of the guidance, which I cannot assume the recipients of the notice have. It may not therefore be clear and obvious, on the face of the notice, to anyone reading it, what the principal elevation is or which building is the storeroom.

6. It is also unclear which wall is being referred to by the notice, as there are walls and gates of varying heights located in different positions in front of the dwelling. At my visit, I saw a wall that runs along the southern boundary of the site, between numbers 19 and 20 Croxford Gardens, and along a small section of the front (eastern) boundary adjacent to the highway, which appears to exceed 1 metre in height. There is then the wall of the outbuilding on the front (eastern) boundary, which is part of that building as opposed to a separate free standing front wall. There are two very high gates on the eastern boundary, adjacent to the highway, which are not referred to at all, and there is a further small but high section of wall on the front (eastern) boundary between the gates and the boundary of the neighbouring property to the northwest.
7. The planning history set out in the Council's statement indicates that planning permission has been granted for, amongst other things, front garden walls (plural) reduced in height to 1 metre, but again, it is unclear which walls are being referred to and there is no mention of the gates. It is highly unlikely that the Council intended the outbuilding and wall on either side of the gates to be removed entirely, or reduced to 1 metre in height, whilst allowing the gates to be retained at their existing height. The inclusion of an annotated plan, identifying the structures to be removed, may well have saved the notice.
8. The notice does not therefore set out the breach of planning control with sufficient clarity. I am unable to correct the notice to include the gates, as this would make it more onerous and would result in injustice to the appellant, who has not had the opportunity to comment on the gates. Requiring the removal of the storeroom and front wall may also result in injustice to the appellant, if he has misunderstood precisely which wall(s) and building the Council is referring to in the notice. I am also unable to discount the possibility that the notice may have been appealed on additional and/or different grounds, had the breach of planning control and requirements been set out more clearly.

Conclusion

9. For the reasons given above, I conclude that the enforcement notice does not specify with sufficient clarity the alleged breach of planning control and the steps required for compliance. Furthermore, I am unable to correct or vary the notice, in accordance with my powers under section 176(1)(a) of the 1990 Act as amended, without this resulting in injustice to any party. The enforcement notice is therefore invalid and will be quashed.
10. It is open to the Council to serve a further notice which clearly sets out the allegation and the requirements, should it consider it expedient to do so, subject to the provisions of Section 171B(4) of the 1990 Act as amended.
11. In these circumstances the appeal on ground (f) set out in section 174(2) of the 1990 Act as amended, does not fall to be considered.

R Bartlett INSPECTOR