



Appeal Decision

Site visit made on 22 September 2026

by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st October 2026

Appeal Ref: APP/W1525/C/25/3369563

Land at 54 Roxwell Road, Chelmsford, Essex CM1 2ND

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mrs Manjit Saimbhi against an enforcement notice issued by Chelmsford City Council.
 - The notice was issued on 18 June 2025.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of a wall and gates.
 - The requirements of the notice are to:
 - i. demolish/remove the wall shown marked blue at the approximate location on the attached site plan.
 - ii. demolish/remove the gates shown marked green at the approximate location on the attached site plan.
 - iii. remove from the land all debris and other waste material resulting from the works carried out at steps (i) and (ii).
 - The period for compliance with the requirements is: 3 months.
 - The appeal was brought on the grounds 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.

Ground (f) appeal

2. The appeal on ground (f) is made on the basis that the steps required by the notice to be taken exceed what is necessary to remedy any breach of planning control or to remedy any injury to amenity which has been caused by any such breach.
3. The appellant suggests that there are several methods of mitigating the harm resulting from the development that can be, or have been, undertaken. These include lowering parts of the wall to reduce its visual dominance and improve vehicular visibility; installing mirrors, also to improve vehicle visibility; planting vegetation including ivy and hedging to soften the appearance of the wall; and altering the colour of the wall by 'tinting' to better reflect the character of the area.
4. However, the purpose of the notice is to remedy the breach of planning control, which is the erection of the wall and gates. The methods suggested would not remedy that breach. As such, the requirements of the notice are not excessive as they seek only to remedy the breach of planning control.
5. I note the appellant's arguments that removing the wall would lead to reduced privacy and safety for them and their young children, when in their garden, and that previously there had been a boundary wall at the site that had collapsed. But these are planning merits that cannot be considered in a ground (f) appeal. They

could be considered under an appeal on ground (a) but that ground of appeal has been barred for the reasons set out in previous correspondence to the appellant.

6. For the above reasons, I conclude that the ground (f) appeal fails.

Conclusion

7. I conclude that the appeal should not succeed and I shall uphold the enforcement notice.

Andrew Owen

INSPECTOR