



Appeal Decision

Site visit made on 16 October 2017

by Thomas Shields MA DipURP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 October 2017

Appeal Ref: APP/W1905/C/17/3171355

40 College Road, Hoddesdon, EN11 0DJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991 (the Act).
 - The appeal is made by Giuseppe Mantio against an enforcement notice issued by Broxbourne Borough Council.
 - The enforcement notice was issued on 10 February 2017.
 - The breach of planning control as alleged in the notice is carrying out of development without the required planning permission consisting of erection of a front boundary enclosure consisting of masonry wall with metal railings atop, capped masonry piers and curved metal railing gate.
 - The requirements of the notice are:
 - (i) Remove the front boundary treatment in its entirety; or
 - (ii) Alter the development so that no part of the front boundary treatment is above 1 metre in height.
 - The period for compliance with the requirements is 2 months.
 - The appeal is proceeding on the ground set out in section 174(2) (g) of the Act.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld.

The appeal on ground (g)

2. The ground of appeal is that the period for compliance, in this case 2 months, falls unreasonably short of what should be allowed.
3. The appellant argued that sufficient time should be allowed in order that a further retrospective planning application (Council ref 07/17/0140/HF) could be determined by the Council. However, that application was refused by the Council in April 2017. No other argument as to why the period is unreasonably short is made out.
4. In conclusion, I see no reason why the building works necessary to achieve compliance with either of the alternative notice requirements could not be carried out within 2 months, and there is no persuasive argument made by the appellant as to why any longer period should be granted.
5. The appeal on ground (g) therefore fails.

Thomas Shields

INSPECTOR