



Appeal Decision

Site visit made on 26 September 2023

by Martin Allen BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 November 2023

Appeal Ref: APP/T5150/C/22/3307424

43 Goldsmith Lane, London NW9 9AJ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended. The appeal is made by Ms Samantha Drummond of KFProperties London LLP against an enforcement notice issued by London Borough of Brent.
 - The notice was issued on 23 August 2022.
 - The breach of planning control as alleged in the notice is without planning permission, the installation of new windows to the front of the premises.
 - The requirements of the notice are to:
 - Step 1 - Remove the uPVC windows to the first floor front elevation of the premises.
 - Step 2 - Remove all debris and items arising from that removal, 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)(g) 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 (g)

2. The ground of appeal is that the time given to comply with the notice is too short. The appellant states that they are seeking to rectify the situation, through seeking agreement with the Council, and requests a period of 9 months to comply with the notice.
3. The notice was issued in excess of 12 months ago, providing sufficient time for the appellant to enter into discussions with the Council in respect of rectifying the unauthorised installation of windows, even considering the need for negotiation between freeholders and leaseholders. With this in mind, I find no compelling reason for extending the period of compliance.
4. Accordingly, the appeal on ground (g) fails.

Conclusion

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

Martin Allen

INSPECTOR