



---

# Appeal Decision

by Ken McEntee

a person appointed by the Secretary of State for Levelling Up, Housing and Communities

Decision date: 2 May 2024

---

**Appeal ref: APP/T5150/C/23/3329572**

**Land at Palmyra London Ltd, Unit 1, Wharfeside Rosemont Road, Wembley, HA0 4PE**

- 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 appeal is brought by Mr Zulfikarali Virani against an enforcement notice issued by the London Borough of Brent.
- The notice was issued on 21 August 2023.
- The breach of planning control as alleged in the notice is "Without planning permission, the erection of an extension to the side of the premises".
- The requirements of the notice are: "STEP 1 Demolish the unauthorised extension to the side of the premises. STEP 2 Remove all debris and items, arising from that demolition, and remove all materials associated with the unauthorised development from the premises".
- The time period for compliance with the notice is **3 months** after this notice takes effect.
- The appeal is proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 as amended.

**Summary of decision: The appeal is dismissed and the notice is upheld without variation.**

---

## Reasons for the decision

1. The basis of the appellant's appeal is that he requires more time to comply with the requirements of the notice in order to facilitate the contracting and completion of the demolition works. However, he has not stated how long a period he considers will be necessary. While I appreciate the appellant's desire for more time to comply with the notice, I am mindful that some 7 months have elapsed since the appeal was submitted with enforcement action effectively suspended. As the compliance period will begin again from the date of this decision, it follows that the appellant will have had some 10 months in which to arrange the contracting and carrying out of the demolition works in order to comply with the requirements of the notice. On the evidence before me therefore, I am not satisfied there is good reason to extend the compliance period further. The appeal fails accordingly.
2. I note that since the appeal was submitted, a planning application has been made to the Council. Whether the application will be approved can only be considered as a matter of speculation at this stage. However, should more time be required while the application is being considered, it will be open to the Council to extend the compliance period further, which they are entitled to do under section 173A(1)(b) of the 1990 Act, should they be satisfied there is justification for doing so.

**Formal decision**

3. For the reasons given above, the appeal is dismissed and the enforcement notice is upheld without variation.

*K McEntee*