



Appeal Decisions

by E Griffin LLB Hons

an Inspector appointed by the Secretary of State

Decision date: 14 April 2025

Appeal A Ref: APP/H5390/C/24/3343863

Appeal B Ref: APP/H5390/C/24/3343864

1 Pavilion Parade, Wood Lane, London W12 0HQ

- The appeals are made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - Appeal A is made by Woodlane Glazing Ltd and Appeal B is made by Konstantin Vassiltsenko against an enforcement notice issued by the Council of the London Borough of Hammersmith and Fulham.
 - The notice was issued on 6 March 2024.
 - The breach of planning control as alleged in the notice is 'Without planning permission, the construction of a single storey metal rear extension.'
 - The requirements of the notice are
 - (1) Demolish the single storey metal rear extension
 - (2) Remove from the land all associated materials.
 - The period for compliance with the requirements is 2 months.
 - The appeals are proceeding on the ground set out in section 174(2)(g) of the Town and Country Planning Act 1990 (the Act) (as amended).
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Decisions

1. Appeals A and B are dismissed and the enforcement notice is upheld.

Preliminary Matters

2. Whilst there are two separate appellants, both appeals rely upon the same facts and can therefore be dealt with together.
3. The appeals are proceeding on ground (g) only and I have been provided with photographs of the development. I am therefore satisfied that the appeals can be dealt with on the basis of the evidence before me without the need for a site visit.

The appeals under ground (g) - Appeal A and Appeal B

4. An appeal under ground (g) relates to the period for compliance with the notice which is 2 months. The notice requires the single storey metal extension to be demolished and materials removed.
5. As the appellants have appealed on ground (g) only, they are aware that when the appeal is determined they will need to comply with the notice. The Inspector can therefore take into account the time taken in the appeal process in deciding what would be a reasonable period for complying with the notice.
6. The appeal form dated the 6 May 2024 stated that the appellants required a further 2 months to comply as alternative space would then be available for their business needs. When an appeal is made, the notice is on hold until the decision letter is

issued. The appellants have now had almost a year since their appeals were lodged to make alternative business arrangements. In addition, the appellants still have 2 months from the date of the issue of this decision to comply with the notice. In the circumstances, the 2 month period for compliance is a reasonable period to demolish the metal extension and remove the associated materials. The appeals under ground (g) therefore fail.

Conclusion

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

E Griffin

INSPECTOR