



PLANNING BY DESIGN
FROM CONCEPT TO COMPLETION

Statement of Case

17A Arkwright Road, London, NW3 6AA

**Appeal against Enforcement Notice
EN24/0921**

On Behalf of

Roua Khedri

Introduction

This Statement of Case is submitted in support of an appeal against the Enforcement Notice reference EN24/0921, which requires the removal of a conservatory style extension to the rear of 17A Arkwright Road, NW3 6AA.

Camden Council is not extending the time period and we were advised by the Planning Inspectorate to submit a second appeal under Ground G to allow more time. The Appellant has no issue with the actual enforcement if it is confirmed, but would like additional time to allow the previously submitted appeal to be determined, as it would void the Enforcement Notice.

A separate planning appeal (APP/X5210/D/25/3365144) has already been lodged in relation to the refusal of retrospective permission (Council Ref: 2025/0278/P) for the conservatory. That appeal raises substantial planning and heritage-based arguments contesting the merits of the refusal and seeks to regularise the structure. This current appeal, however, solely relates to Ground G—that the compliance period specified in the enforcement notice is unreasonably short.

Grounds of Appeal

It is respectfully submitted that the two-month compliance period ending on 6 May 2025 is insufficient, particularly as an appeal concerning the same development is already under active consideration by the Planning Inspectorate.

The Appellant seeks a reasonable extension of time to allow the ongoing appeal to be determined. The Inspectorate has advised that such an extension must be pursued through a separate enforcement appeal under Ground G, which this Statement supports.

Proposed Compliance Period

The Appellant respectfully requests that the compliance period be extended to **six months from the date on which the enforcement notice is upheld**, or at the very least until **30 November 2025**, whichever is later. This would ensure that the determination of the existing planning appeal can be concluded before the requirements of the enforcement notice take effect. This approach is proportionate and avoids the risk of prejudicing the appeal process, which may result in the enforcement notice becoming void if planning permission is granted.

The proposal does not alter the external appearance of the building and has no visibility from the public realm or from other properties, due to the high boundary treatment and rearward positioning.

Policy and Procedural Context

In accordance with paragraph 60 of the National Planning Policy Framework (NPPF, 2024), Local Planning Authorities should act “proportionately in responding to suspected breaches of planning control”. This includes ensuring that compliance periods are fair and feasible in the context of the development in question and the ongoing planning process.

Further, the Planning Practice Guidance (PPG) notes that “the period for compliance should be proportionate, reasonable and take account of the steps required, the scope and complexity of any works, and any personal circumstances.”

The Appellant contends that it is neither proportionate nor practical to require compliance with an enforcement notice that may become obsolete or invalid if the planning appeal is allowed. This creates a risk of unnecessary removal and reinstatement, contravening the principles of planning efficiency and fairness.

Appellant’s Intent and Good Faith

The Appellant wishes to emphasise that there is no objection to complying with the notice should the planning appeal be dismissed. There is no attempt to evade enforcement or delay indefinitely. Rather, this request arises from a need to ensure procedural justice and planning economy. Demanding compliance before the appeal has been resolved creates an unjustifiable risk of wasted effort, costs, and environmental resources.

Site Context and Absence of Harm

As detailed in the original Statement of Case submitted for the planning appeal (ref. 3365144), the conservatory:

- Is located in a fully enclosed private garden and not visible from the public realm.
- Has no material impact on neighbour amenity, as confirmed by Camden’s own planning officer.
- Causes no biodiversity loss, with the structure built on pre-existing artificial grass and hardstanding.
- Is constructed of high-quality materials and designed to be fully demountable and reversible.
- There is a door to further screen the pergola from the street scene and wider conservation area. The pergola is to the rear of existing dwellings so as to avoid significant impact on the wider Conservation Area that includes various and similar structures.

These facts weigh against any suggestion of urgent or irreversible harm that would justify an accelerated enforcement timeframe.

Request for Reasonable Delay in Compliance

Given the above context, the Appellant submits that the compliance date of 6 May 2025 is unreasonable, particularly as the notice was issued only two months prior. A revised compliance period of six months will not undermine planning control and will avoid unnecessary action in the event the appeal succeeds.

The “main” appeal was lodged well in advance of the standard 6-month period to submit appeals, but the unreasonable compliance period set by the Council did not give the Appellant enough time to submit an appeal and it be determined in time of the enforcement deadline.

The delay requested is modest, procedurally logical, and in line with the standard practice of aligning enforcement deadlines with ongoing appeals.

Conclusion

The Appellant respectfully requests that the Inspector vary the enforcement notice to provide a longer compliance period of **six months**, or until **30 November 2025**, to allow for the resolution of the pending planning appeal.

This would ensure that enforcement does not pre-empt or contradict the outcome of a lawful appeal process and that planning enforcement is exercised in a measured, proportionate, and policy-compliant manner.

The Appellant confirms that no harm arises from maintaining the structure during this interim period, and the request for additional time reflects established best practice in planning enforcement.