

## *GROUNDS OF APPEAL*

LPA: Camden Council

LPA Enforcement Notice Ref: EN20-0889

Planning inspectorate Ref: APP/X5210/C/21/3266946

Appellant: Qalam Education Centre

Property Address: 292-294 Kilburn High Road, London, NW62DB

## ENFORCEMENT NOTICE APPEAL

### Brief history

1. Construction work to 292-294 Kilburn High Road ('the property') began in August 2020 under the understanding that the site benefited from permitted development.
2. Qalam Education Centre is a school/place of worship with D1 use; building works were carried out under permission granted by part 7, Class F, extensions etc of a school, college of the GDPO.
3. The LPA argued the property did not benefit from the permitted development and a planning application should be submitted.
4. The building works to the property's rear extension ceased immediately after the LPA's planning officer's inspection and email on the 19<sup>th</sup> October 2020 to cease works.
5. A planning application was submitted to the LPA on the 30.11.20; the enforcement was served on the 04.12.20.
6. The planning application was validated on the 12.01.21 reference 2020/5572/P with the development description as 'installation of a bi-folding door at rear ground floor level and erection of a first-floor rear extension (part retrospective) which is awaiting decision.
7. No planning application has been made against the second-floor rear extension.

## ENFORCEMENT NOTICE APPEAL

### Grounds of Appeal

1. The proposed development is acceptable and the reasons for issuing the notice are unreasonable.
2. The proposed development does not have an unacceptable resulting impact on the neighbouring residential amenity. There is no or insignificant loss of daylight, sunlight onto neighbouring residential properties.
3. The proposed development by design, bulk, material and scale does not have a detrimental effect on the character and appearance of the host building or wider terrace.
4. The property is a terraced property and neighbours with 286-290 Kilburn High Road to the south and 296 Kilburn High Road to the North.
5. In 2017 286-290 Kilburn High Road was granted a large development in far superior scale and bulk, with dominant additions including a larger first and second floor extension than the proposed development (application no: 2017/2125/P).
6. The proposed development does not exceed the height or projection of the neighbouring terraced property.
7. The proposed development enhances the visual amenity of the terraced block as:
  - i) before the development, the property had an existing half width first floor extension finished in unpainted damaged render compared to the new matching brickwork.
  - ii) the scale and projection are like the neighbouring property compared to the odd smaller pre-existing. The main view of the rear projection is from Kilburn Grange Park which has visually improved.
  - iii) the modern architectural alterations conforms to other local modern architecture.
8. The design and material to the proposed development has been revised to match the brickwork to the neighbouring property.
9. The first floor extension to the proposed development is almost hidden from sight, it is between two party walls that far exceed proposed extension in height and projection.
10. The second floor extension only exceeds the existing party wall height by 1m whilst matching up to the height of the second floor extension of 286-290 Kilburn high road.
11. The second floor extension does not cause loss of light to the neighbouring property
12. The proposed development is required to serve the functional educational needs of the property's growing community usage.