



Appeal Decision

by **Ken McEntee**

a person appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 19th June 2025

Appeal ref: APP/X5210/C/25/3359337

Land at Flat 2, 80 Greencroft Gardens, London, NW6 3JQ

- 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 Mrs Sarah Abergel against an enforcement notice issued by the London Borough of Camden.
- The notice was issued on 12 December 2024.
- The breach of planning control as alleged in the notice is: **"Without planning permission: Installation of a pergola within the rear garden"**.
- The requirement of the notice is "Totally remove the pergola structure".
- The time period for compliance with the notice is: "Within the period of **ONE (1) month** of the Notice taking 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 enforcement notice is upheld without variation.

Reasons for the decision

1. The appellant contends that the period for compliance with the requirement of the notice is too short due to having to tender for builders and for them to be available within the required timescale. She therefore requests that the compliance period be extended to 2 months. Whilst I acknowledge the appellant's reasons for this request, I am mindful that some 5 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, the appellant will effectively have had some 6 months in which to arrange for suitable builders to remove the unauthorised pergola, which is some 4 months more than that requested. Therefore, there does not appear to be any good reason before me to justify extending the compliance period further. The appeal fails accordingly.

Formal decision

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

K McEntee