



Appeal Decision

Site visit made on 9 December 2025

by R Satheesan BSc PGCert MSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 December 2025

Appeal Ref: APP/N5090/C/24/3341809

22 Mount Pleasant, Barnet EN4 9HH

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Arjan Terziu against an enforcement notice issued by the Council of the London Borough of Barnet.
 - The notice was issued on 27 February 2024.
 - The breach of planning control as alleged in the notice is: Without planning permission the construction of a rear garden outbuilding.
 - The requirements of the notice are:
 - 1 Demolish the rear garden outbuilding.
 - 2 Permanently remove all constituent materials resulting from the works in above from the property
 - The period for compliance with the requirements is 3 months.
 - The appeal is proceeding on the grounds set out in section 174(2)(a), (f), (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is allowed, the enforcement notice is quashed, and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act as amended for the development already carried out, namely the construction of a rear garden outbuilding at 22 Mount Pleasant, Barnet EN4 9HH referred to in the notice.

Preliminary Matters

2. During the course of this appeal, the Barnet Local Plan 2012 (LP), and policies contained within it, has been replaced with the Barnet Local Plan, adopted in March 2025 (BLP). This must now be given full weight in the decision-making process. Both main parties have been given the opportunity to comment on the new BLP and so have not been prejudiced. I have therefore not assessed the development against the policies of the superseded LP.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the area; and the living conditions for the occupiers of 20 Mount Pleasant with regard to outlook.

Reasons

Character and appearance

4. The appeal property is a two-storey semi-detached property, situated in a residential area comprising predominantly other semi-detached and detached dwellings. The property has been recently extended with a part single, part two

storey rear extension, and a rear dormer roof extension. The unauthorised development, the subject of this appeal, relates to the erection of an outbuilding at the rear of the rear garden, and therefore the appeal development is not visible from any public vantage points.

5. In relation to ancillary buildings in back gardens, Barnet's Local Plan Supplementary Planning Document Residential Design Guidance, 2016 (Design SPD) states that they should not be too large or significantly reduce the size of a garden to become out of character with the area, and that they should be located to the rear of the property. The Design SPD also emphasises that the building materials used should respect the existing buildings and the overall character of the area.
6. The outbuilding has been positioned to the rear most part of the rear garden and has been constructed in white render and grey slate tiles which matches the main property. The property benefits from a relatively spacious garden and the development retains a large area of amenity space for occupiers of the site, which also preserves the openness of the garden setting. The size, footprint and overall height of the outbuilding, with a crown roof, is not dissimilar to other outbuildings in the area, including the adjacent outbuilding at 24 Mount Pleasant. In these respects, the size, height and design of the development is in harmony with the host property and the surrounding area.
7. I therefore conclude that the development does not have a harmful impact upon the character and appearance of the area. Accordingly, the development complies with Policies CDH01 and CDH07 of the BLP, and Policy D3 of the London Plan, 2021. Taken together these state that development proposals should be of high quality, with architecture that pays attention to detail, and that the Council will expect development proposals to respond sensitively to the distinctive local character and design, building form, patterns of development, scale, massing, roof form and height of the existing context, and ensure that design and layout is sympathetic to the local character.

Living conditions for the occupiers of 20 Mount Pleasant with regard to outlook

8. The Council's Design SPD states that back garden buildings should not unduly over-shadow neighbouring properties and they should not unduly affect outlook from an adjoining property's habitable rooms or principal garden areas.
9. The development includes a crown roof which slopes down towards the boundary with No 20, thereby mitigating any harmful effects of the development. Furthermore, I also observed there is an existing outbuilding in the rear garden of No 20 close to the appeal building, and dense planting along this boundary. In combination with its position at the far end of the rear garden, I am satisfied that the development does not harm the living conditions for the occupiers of No 20, with regard to overshadowing or outlook in accordance with the Design SPD. I also note that the adjoining occupier at No 20 have confirmed in writing that they have no objection to the outbuilding.
10. I therefore conclude that the outbuilding does not have a harmful effect on the occupiers of No 20, with regard to outlook, in accordance with Policy CDH01 of the BLP. Amongst other things, this states that the Council will expect development proposals to provide a good standard of amenity that is consistent with other policies in the Plan and will allow for acceptable levels of daylight, sunlight, privacy

and outlook for adjoining and potential occupants and nearby users impacted by the development.

Other matters

11. No conditions have been suggested by the Council and as the development appears to be completed, there is no need for any.

Conclusion

12. For the reasons given above I conclude that the appeal succeeds on ground (a). I shall grant planning permission for the development described in the enforcement notice. The appeal on grounds (f) and (g) do not therefore fall to be considered.

R Satheesan

INSPECTOR